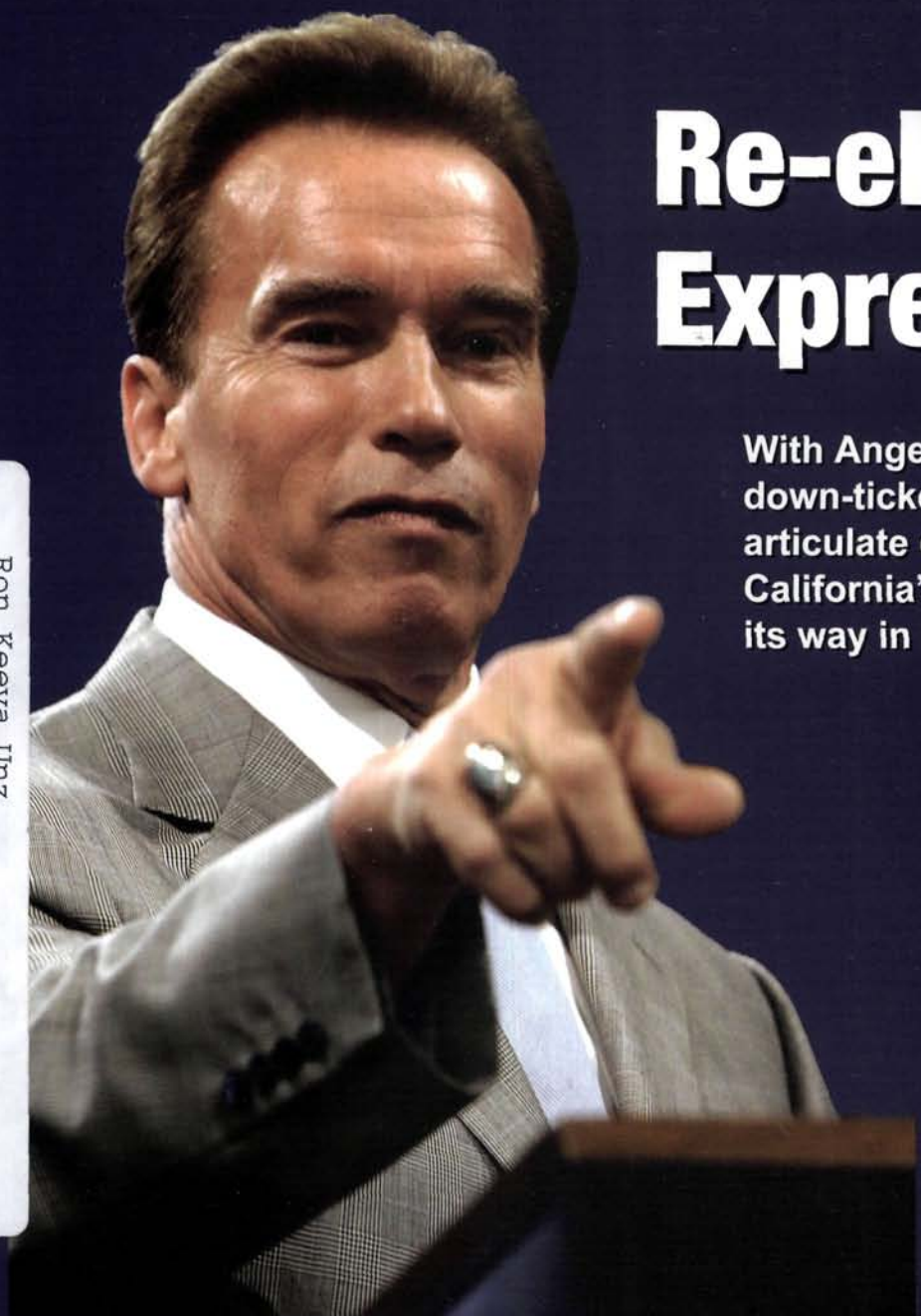
CALIFORNIA ★ POLITICAL
REVIEW
SEPTEMBER/OCTOBER 2006 • VOLUME 17 • NUMBER 4 • $4.95

National redistricting reform?
Bill Mundell 7

Politically correct forest fires
Damien Schiff 8



Re-elect Express?

With Angelides fading and a down-ticket slate of bright, articulate conservatives, can California's GOP move the state its way in November? 15

Ron Keeva Unz
555 Bryant St #371
Palo Alto, CA 94301

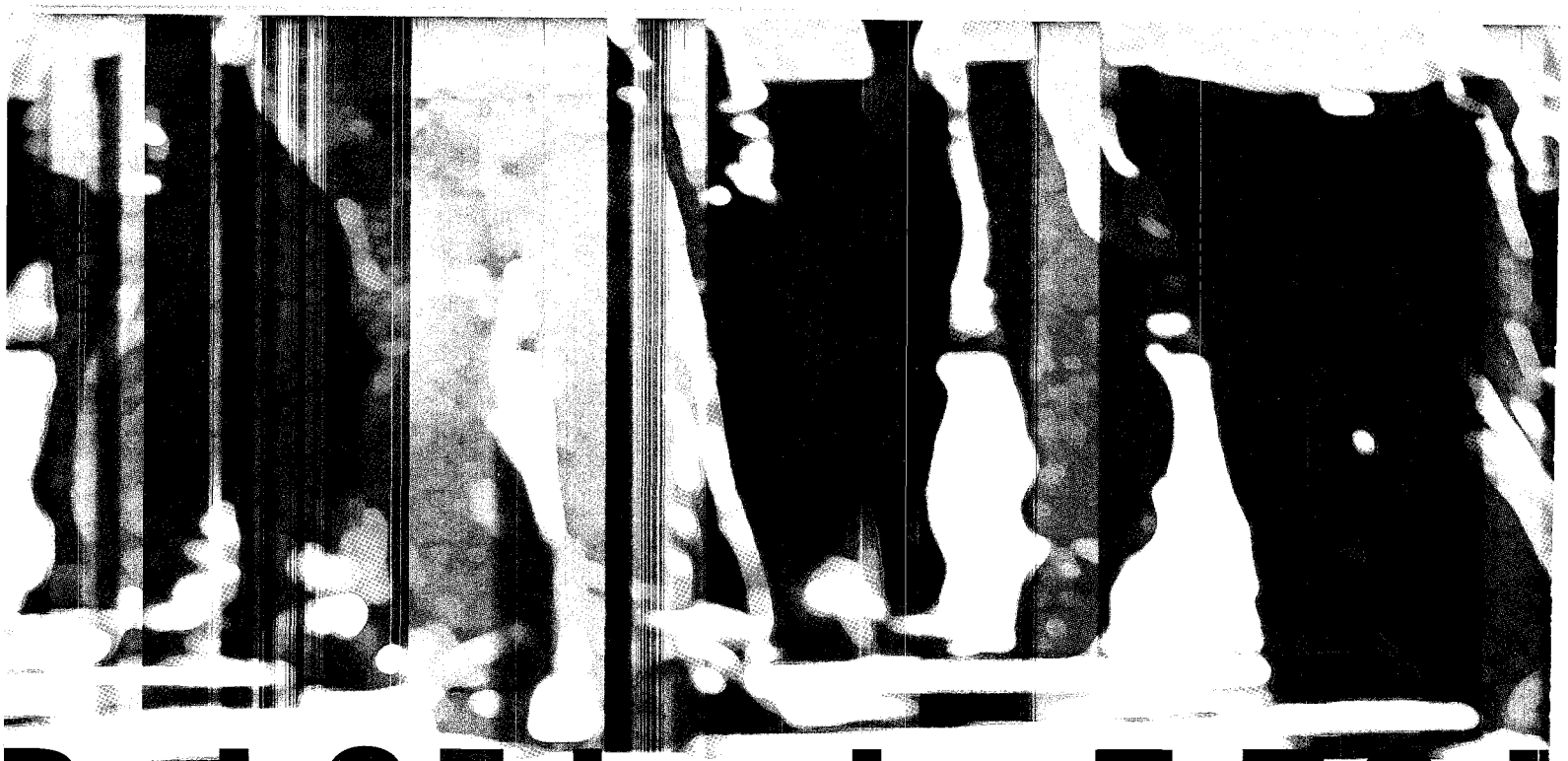
ain Therapy
aking the (Prop. 87) cure
M. David Stirling 21

The Chron:
still reliably flaky
George Neumayr 4

What I know about
John Peter Zenger
John Kurzweil 28

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

www.cppf.us



Pack 3 Felons in a 5x7 Cell then Watch the Lid Blow

California prisons are dangerously overcrowded. Designed to safely house 71,000 inmates, they now hold more than double — 170,000. Next year's projections are even higher.

To make things worse, California prisons are seriously understaffed, with over 4,000 vacant positions and one of the worst officer-to-inmate ratios in the nation — resulting in millions of dollars in forced overtime, little or no rehabilitation, and even more assaults on officers and inmates.

Without new prison space, federal courts could force California to release thousands of hard-core felons — a public safety disaster of monstrous proportion.

We need action now, before our prisons blow sky high.

CALIFORNIA CORRECTIONAL PEACE OFFICERS ASSOCIATION
755 Riverpoint Drive • West Sacramento, CA 95605

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

CALIFORNIA★POLITICAL
REVIEW

SEPTEMBER / OCTOBER 2006 • VOLUME 17 • NUMBER 5

FEATURES

COVER ARTICLE: Re-elect express? By John Kurzweil 15
With Angelides fading and a down-ticket slate of bright, articulate conservatives, can California's GOP move the state its way in November?

Pain therapy: Taking the (Prop. 87) cure By M. David Stirling 21
The latest in the Rob Reiner Frankenstein's Monster series of New Age Initiatives.

Si Frumkin's Journal: Three hats and a bonus By Si Frumkin 25
Imagine what the world would be like without America — It wouldn't be a world you'd want to live in.

What do you know about John Peter Zenger? By Gregory Sanford 28
The story of an ordinary man who found himself at the center of a compelling drama in our early American history.

DEPARTMENTS

Correspondence 2
Sacramento Spectator 3
The Working Press By George Neumayr 4
Facts on Gun Control By Sam Paredes 6
Gerrymander comes of age By Bill Mundell 7
The Law By Damien Schiff 8
Business Trends By Theodore A. Alta. 10

ARTS & CULTURE

Criticus By G.B. Tennyson 31
My Guys — The annual Critical Dog Days Follies covering everything from an identity crisis at the NCAA to Saving Penny Lane. And a Christian School dispenses with John Lennon on religious grounds — Imagine!
First Things By John Kurzweil 36
Truth: In popular myth, ours is an age of reason.

A PUBLICATION OF THE CALIFORNIA PUBLIC POLICY FOUNDATION

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

CALIFORNIA★POLITICAL
REVIEW

A PUBLICATION OF THE
CALIFORNIA PUBLIC POLICY FOUNDATION

JOHN KURZWEIL
EDITOR & PUBLISHER

CONTRIBUTING EDITORS
DAN BRENNAN
M. DAVID STIRLING • *BUREAUCRACY WATCH*
SAM PAREDES • *SECOND AMENDMENT CORRESPONDENT*
GEORGE NEUMAYR • *THE WORKING PRESS*
RAY HAYNES • *THE FRONT LINE*
G.B. TENNYSON • *ARTS & CULTURE*

GENE FOLEY • *BUSINESS MANAGER*
GORDON KURZWEIL • *DATA BASE MANAGEMENT*
SHAWN STEEL • *LEGAL ADVISOR*

EDITORIAL BOARD
DANIEL J. GRIMM, RAY HAYNES,
HAROLD JOHNSON, MANUEL S. KLAUSNER,
JOHN KURZWEIL, GEORGE NEUMAYR,
WILLIAM RUSHER, WILLIAM E. SARACINO,
ANDREW ZEPEDA

California Political Review (ISSN 1075-3079) is published bimonthly by the California Public Policy Foundation. Send address changes, manuscripts, and Correspondence to: Editor, *California Political Review*, Post Office Box 931, Camarillo, CA 93011-0931. Correspondence may be condensed due to space limitations. Unsolicited manuscripts should be accompanied by a stamped, self-addressed envelope. Signed articles express their authors' opinions and do not necessarily reflect the views of the California Public Policy Foundation which does not endorse or oppose candidates or intervene in any candidate election campaign. Unsigned editorials express the editors' opinions and not necessarily the views of the California Public Policy Foundation. Rates: $24.95 yearly (six issues). Outside U.S. add $6/year surface, $20 for airmail. *California Political Review* is copyright © 2006 by the California Public Policy Foundation.

California Political Review (ISSN 1075-3079) is published bimonthly for $24.95 per year by the California Public Policy Foundation, 4963 Densmore Avenue, Encino, CA 91436. Periodical Postage Paid at Van Nuys, CA, and additional mailing offices. POSTMASTER: Send address changes to *California Political Review*, P.O. Box 931, Camarillo, CA 93011-0931.

CORRESPONDENCE

Yet another Doomsday scenario

Thanks for Si Frumkin's exposé of Global Warming ("The Cooling! The Warming!! The Poison Ivy!!!" *CPR*, July/Aug.) This canard desperately needs debunking. A Public Policy Institute of California survey of 2,501 California adults released July 26 reported "Nearly half (49 percent) say global warming is a 'very serious' threat to the state's economy and quality of life; another 30 percent believe it is a 'somewhat serious' threat." Party affiliation is no protection against the foolishness: the hope that lawmakers will man the barricades against this "threat" "cuts across party lines: Democrats (73 percent), independents (70 percent), and Republicans (62 percent) all strongly support state action." Such as? PPIC says 66 percent — again cutting across party lines — strongly favor a bill intended to "reduce greenhouse gas emissions to 1990 levels by the year 2020."

Two notions underlie the hysteria: first, that global warming is a serious threat and, two, that human activity is significantly responsible and so must be changed. Reducing the second notion to microscopic irrelevance, Mr. Frumkin notes that human contributions account for "about 0.28 percent of the 'greenhouse effect'." So we are to sacrificie even more of our freedom of movement on a chance of diminishing *part* of a quarter of a percent of the world's CO^2.

Richard Lintzen, an MIT Professor of Atmospheric Science, helps debunk the first notion — that global warming seriously threatens us — by pointing out (in "Climate of Fear," *Graffiti for Intellectuals*, July 3, 2006) that "the alarmists .... are trumpeting catastrophes that couldn't happen even if the models were right as justifying costly policies to try to prevent global warming." A central idea in the global warming doomsday scenario is that GW reduces temperature differences between the poles and the equator. But "when you have less difference in temperature," Professor Lintzen writes, "you have less excitation of extratropical storms, not more." To drive tropical storms, evaporation relies on humidity as well as temperature "and calls for drier, less humid air. Claims for starkly higher temperatures are based upon there being more humidity, not less — hardly a case for more storminess with global warming."

That global warming results almost exclusively from natural causes should by itself be enough to end the hysteria. Common sense notices that Earth has been around a long time; if it has survived this long running on its own rules, odds are it will go on doing so. And common sense is backed up by legitimate science: "The cycles in our planet's temperature are well known and understood," Mr. Frumkin reports. "There are the 100,000-, 40,000-, and 21,000-year cycles that are caused by the slight wobble of the Earth's orbit around the Sun. The shorter cycles — 206 and 11 years — are caused by periodic sunspot activity."

In the 1970s and '80s, we were all supposed to be terrified about nuclear incineration, to which Henry Kissinger (for once) wisely responded: "we can't make good policy by scaring ourselves to death." The global warming craze should comfort all up-and-coming P.T. Barnums and depress anyone who puts his faith in "progress" of the human mind. Californians, at least, seem as ready as ever to be fooled by flim-flam and hokum.

Jeffrey Blake
San Diego

Please send Correspondence to: Editor, *California Political Review*, Post Office Box 931, Camarillo, CA 93011-0931, or: Editor, *CPR Online*, calprev@cppf.us. Correspondence may be condensed due to space limitations.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

SACRAMENTO SPECTATOR

Though the state capitol weather is as steamy as a trashy Tennessee Williams play (sorry for the redundancy), the titillating political news has kept your *Spectator* haunting both political parties' cool watering holes, strictly for research, of course.

As I write in early August, two matters eclipse all other chatter among the *cognoscenti:* the Angelides campaign's continued disintegration and a possible term-limits/redistricting deal. On matter one, your *Spectator* immodestly notes that my last column (*CPR,* July/Aug.) cited the rampant disarray in the donkey ticket, and particularly spotlighted the mutual loathing between Angelides and his primary opponent Steve Westly.

Only five weeks behind yours truly, *L.A. Daily News* columnist Rick Orlov noted the same, quoting some impolitic mutterings of Westly's campaign manager Gary South. After noting that he "managed the last two successful Democrat gubernatorial campaigns," South commented thusly on the current Democrat nominee for that position: "Angelides looks wrong, sounds wrong, is wrongly positioned, and is running the wrong kind of campaign." These were — scout's honor, and your *Spectator* was a proud member of Troop 9 back in the Pleistocene era — the kindest words South uttered about Phil the Greek. The wheels are quickly coming off the Angelides campaign, and that will inevitably affect the rest of the Democrat ticket. It's not a full blown panic yet among Democrat operatives here, but close to it.

On the matter of a term-limits for redistricting deal, serious and solid conservative legislators hold out hope for such a thing happening before adjournment and thereby appearing on the November ballot. In short, this would include two

separate measures (necessarily so because of the constitution's "single issue" rule for propositions). The most likely incarnation (and recall, I write in early August) would be allowing a 12 or 14 years of total service in the Legislature, regardless of which house or houses those years were spent in. Less likely but also in play is a formula allowing 12 years in both houses, for a total of 24 years legislative service.

The trade-off for Republicans would be an honest-to-goodness non-partisan citizens commission to draw district lines. Knowing that the devil is in the details, and that "non-partisan" is an exceptionally flexible term, Republicans have been insisting that any such commission be prebound by strict guidelines. These would prohibit crossing city or county lines except in clear cases where there is no other option.

These, basically, are the guidelines under which the 1991 redistricting was drawn, and that, remember, produced not only genuinely competitive districts but a GOP majority in the Assembly. Frankly, knowing the self-interest that keeps the Democrats and Republicans far apart on redistricting (why would the Democrats voluntarily give up a sure lock on legislative majorities, even if those majorities are made up of changing faces?), ye olde *Spectator* remains dubious that such a deal including genuine line-drawing reform is doable.

On the other hand, it is current Democrat office holders — not future ones — who are deciding the fate of such a deal. *Their* careers are on the line in the term limits debate, so sufficient motivation might be present to trade more years in the Legislature for the more remote chance of losing their majority.

By the time you read this you will probably know the answer. In the meantime, there is a Long Island Iced Tea with my name on it. Off I go for more research!

— A.P.C.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Working Press

The *Chron:* still reliably flaky

A blog for 'hip' parents; more race- and gender-based preferences for the sports pages.

GEORGE NEUMAYR

MOST NEWSPAPERS would be too embarrassed to start a blog called "The Poop." But not the *San Francisco Chronicle.* The reliably flaky Bay Area paper launched "The Poop" in July as a blog for parents who want to remain "hip" while raising children. The *Chron,* sizing up its readers as arrested adolescents, figures the blog will appeal to "parents desperately hanging on to their coolness."

In a comic sociological indictment of Bay Area liberalism, *Chronicle* editor Peter Hartlaub, one of the conceivers of the blog, observes: "Unlike members of previous generations, who were more willing to embrace adulthood once children came around, the latest batch of parents seems especially adept at pretending that nothing has changed — even though a needy new organism has joined the family and is screaming to the contrary. 'I'm going to do all the same things I did before I had the baby!' is a common rallying cry. But those words become a lot less convincing once the fentanyl wears off, and new parents are faced with no sleep, no time, and no energy to see the New Pornographers when the band comes through town."

The blog, according to Hartlaub, will address such pressing issues as: "How do you cope when your toddler doesn't want to listen to the Radiohead you've been playing during naptime, and decides instead that Murray from 'The Wiggles' is his one true savior? How do you cope when your favorite Indian restaurant doesn't have wide enough aisles for your monstrous stroller? How do you cope when that stupid 'Baby on Board' sign that you've been mocking for the first 34 years of your life suddenly seems like the most sensible idea ever?"

The *Chronicle* expects the blog to be popular, as the parents-who-don't-want-to-grow-up demographic is sure to grow larger. Hartlaub notes the free market's acknowledgment of this group in its new product lines, such as the "$499 Rock Star Baby Stroller, recently unveiled by two members of Bon Jovi."

In the last issue, I commented upon the emergence of females heading up sports pages now that newspaper owners have decided that even *that* department of their papers should conform to politically correct expectations. The next wave of sports page reform will apparently involve moving more white guys off them.

In June, the *Los Angeles Times* published the distressing news that most staffers on sports pages are white and male. The study was conducted by the prestigious University of Central Florida's DeVos Sports Business Management's Institute for Diversity and Ethics in Sport.

"I expected it to be bleak, and it certainly was," said Richard Lapchick, director of the program, to the *Times,* which reported that "Lapchick's team of graduate students found in studying the 5,100-employee makeup of 303 sports departments that 94.7 percent of sports editors, 89.9 percent of columnists and 87.4 percent of reporters are white. The study also showed that 95 percent of the editors, 93 percent of the columnists, and 90 percent of the reporters are male. Similar percentages were found in the positions of assistant sports editors and copy editors."

What can the news business do to correct this crisis? Lapchick proposes "minority-specific" sports journalism programs. Sports writers, he says, "should represent the workforce and the athletes they are

George Neumayr is California Political Review's *press critic.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Established in 1935

"To Encourage Active Participation In Political Affairs"

Join the Fun!

Monthly Luncheon Meetings

Are held on the second Saturday of the month, call for location.

The Political Forum

The popular open discussion session of current topics precedes each meeting. Everyone is encouraged to participate in the discussion and debate of current issues.

Political Forum begins at 11:30 AM Luncheon at 1:00 PM

September 9th Featured Speaker (tentative)—Candidate for Lt. Governor, Tom McClintock

October 14th Featured Speaker (tentative)—Candidate for Attorney General, Chuck Poochigian

Reservations are required.

Telephone: (818) 700-4850

or e-mail: scrwmreservations@juno.com

Newsletter Subscriptions and Memberships Available!

To learn more, visit our website: www.scrwm.org

covering." The *Times,* sounding a note of sheepishness, reported that its "diversity percentage" on its sports page is "18.57 percent," placing it in the "middle of the 303" papers examined in the study. The *Sacramento Bee* ranked number one.

⚜ ⚜ ⚜

K.C. Cole, a former *L.A. Times* science writer, writing in the *Columbia Journalism Review's* May/June issue, said the "intelligent-design" advocates are right to say that Darwinism doesn't "make sense." But Cole insisted that that's the nature of science: to provide counter-intuitive information that confuses ordinary people.

"It is unfathomable that complex life forms evolved in tiny increments over time through random mutation and natural selection — that our ancestors are bacteria and our siblings are fish," wrote Cole, before dogmatically stating: "We know it happened nonetheless because we have multiple lines of evidence: the fossil record, DNA, morphology, embryology and so on. (We even see evolution in action right in front of our noses. If we couldn't, we wouldn't be worrying about bird flu.) But to pretend evolution 'makes sense' in some ordinary way does our readers a disservice (and too often leads journalists to neglect to mention the evidence at all)."

Cole doesn't consider the alternative explanation: maybe journalists don't mention the evidence for Darwinism because it doesn't exist. It remains a theory based not on observation but on a chain of conjecture. Contrary to Cole's assertion above, the fossil record bears no evidence of the hit-and-miss, incrementalist origin of species Darwin claimed. Perhaps Jayson Blair and other journalistic hoaxsters could write a story about the fossil record validating Darwinism, but no reporter who has actually looked at the evidence without Darwinian blinders on would do so.

For Cole, Darwinism is a counter-intuitive truth, even though after saying this he calls science "innately uncertain." Which is it? Those who dare to see design in nature and find it implausible to chalk complexity

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

up to chance often say that modern scientists are turning science into a form of gnosticism: presenting "truths" only the scientific illuminati can grasp and explain while expecting the hoi polloi simply to accept them on faith — faith in a sort-of innate authority attaching to anything labeled "science."

Cole's commentary, straining mightily to make its counter-intuitive point, certainly lends itself to this analysis, and explains why science journalism in the *Times* (and elsewhere) is so slavish toward modern science even when it so obviously slips into quasi-philosophy. Proudly skeptical reporters make sure to spare Darwinism from their skepticism.

Santa Barbara is a good setting for soap operas, and Wendy McCaw, publisher of the Santa Barbara "News-Suppress" (as its critics and ex-employees call it), is providing an ongoing one. Numerous editors and writers have quit her paper, complaining that she has turned it into a joke by meddling in too many stories. Her side of the story is that they didn't like her because she didn't let them "flavor the news with their personal opinions."

That sounds like a laudable goal, though rather unconvincing coming from McCaw, a billionaire divorcee who bought the paper, according to media observers, so that she could turn it into a country club newsletter emphasizing environmentalism and animal rights to an absurd degree. Flavoring the paper with personal opinion is McCaw's specialty. Thanks to her animal rights activism, the *Santa Barbara News-Press* has to be the only "mainstream" paper in America to have editorialized against Thanksgiving. The infamous editorial stated that the paper simply could not support a "tradition that involves the death of an unwilling participant." CPR

WHAT YOU HAVEN'T BEEN TOLD ABOUT GUN CONTROL

By SAM PAREDES

Gerrymandering means the Legislature's membership is about set. So, incoming GOP freshman, time to review the basics:

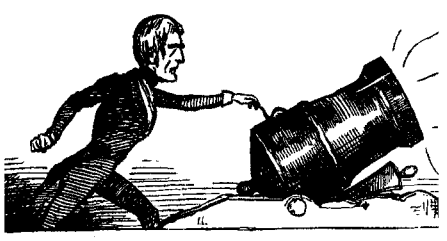
Ignore calls to 'join the club'

This is no club. It's a battleground of ideas for a warrior, not a diplomat. You will be encouraged to show *comity:* mildness, suavity, courtesy, civility — greeted with hearty back-slaps and told how eager everyone is to work *with* you. But the fundamentalist liberal gun-hating majority considers this *their* Capitol. "Working with you" means that your life in their Capitol can be more pleasant and less disagreeable — if you don't make waves. They do *not* mean they have the slightest intention of compromising on any issue of substance.

Sam Paredes is executive director of Gun Owners of California. For more information go to www.gunownersca.com.

Always push for victory

... beginning as the Legislature convenes in December to vote for leaders and standing rules of each house. Republicans should fight to regain the ability to call a bill from committee to the floor. Democrats only recently ended this longstanding, effective procedure in both houses. It had become embarrassing: good, popular bills yanked from graveyard committees and placed before the Legislature for all to see how the members voted. Now such bills die in committee. Expose this Democrat shell game — yell loud enough and the media might actually pay attention.



Cultivate new constituencies

Whatever your passion, organize activists who share your beliefs and raise money to elect others who agree with you. Political victory usually goes to the side with the deepest bench, the best farm system — the most staying power.

Control of the house is key

A six-year term seems long at the front end, but your critical choices come at the start; get caught up in "legislative pomp," and soon that third term is ending with the *status quo* undisturbed for your having been there. Remember the forest, not just the trees. Defeating gun control isn't just about legislation; it's also planning for overall victory.

So, will we see you in the steam baths? Or at the front? CPR

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Political reform

Time for a national approach to redistricting reform

Spreading the negative/positive impacts of fair districts evenly on both parties may be the key to victory.

BILL MUNDELL

THE DECISION of the Supreme Court to uphold substantially the Delay-engineered Texas redistricting has brought our country's sordid history of gerrymandering to the forefront once more. It is a vivid reminder that we cannot look to the courts to remedy this age-old cancer on the American political system. With the recent spate of failures in state initiatives, a legitimate question is: where do we go from here?

Unfortunately for the American people, the more things change, the more they seem to remain the same. The court's decision comes shortly before mid-term elections that will be remarkable for what they do *not* do. Historically, mid-term elections offer the electorate an opportunity to demonstrate a loss of appetite for those in power. That's what happened in the 1994 mid-terms that brought in a new Republican governing majority. Then, as now, the reigning president and the party in power fared poorly in approval ratings. Then, as now, the controlling party was tainted by corruption scandals. Then, as now, it would seem the country was ripe for an electoral revolution.

Some pundits take this view as they boldly prognosticate a coming shake-up in the House that would give the Democrats a governing majority. This prediction will never become a reality. This is not 1994. The days of House-driven revolutions are over.

That's because, between the census of 1990 and that of 2000, a shift occurred, the ramifications of which will only be seen fully on the national level with the unique circumstance that these coming mid-term elections bring: the confluence of dismally low approval ratings and the prospect of little change. Thanks to technological developments, seat-of-the-pants gerrymandering (first made famous by founding father and Massachusetts statesman Elbridge Gerry) has been replaced by a computerized science of virtual precision as relatively inexpensive computer tools make it possible to determine voting patterns down to individual street addresses.

While broad awareness exists that technology aids gerrymandering, the perception continues to be that the process merely helps politicians at the margin and that this age-old practice, now sadly a part of the political fabric, merely became a little more efficient. The reality is very different. It is more like a sea change. If the electorate understood just how fixed the system has become, they would rise up against this silent *coup d'etat* against them and act to end it.

BUT REDISTRICTING is still the classic inside baseball issue; the general public simply does not pay attention to it. The coming election offers the first opportunity for a true national wake-up call. Despite voter dissatisfaction not seen in 20 years, we will see no trouncing at the polls. Election day will end with a whimper, not a bang. Reform advocates take note. This is a unique opportunity to make the case.

The sour public mood that combined with an energetic new vision just 12 years ago led to 54 seats changing hands in the so-called Gingrich revolution. Today, even if such a powerful contrarian vision arose, such an outcome would be virtually impossible. Elections are considered competitive when the winner received less than 55 percent of the vote. In 1994, 98 races were competitive by this standard, but in 2004 the total was only 32. Given this shrunken battle-

Bill Mundell is chairman and CEO of the Vidyah companies and was chairman of Californians for Fair Redistricting, the group that spearheaded redistricting reform in the 2005 special elections.

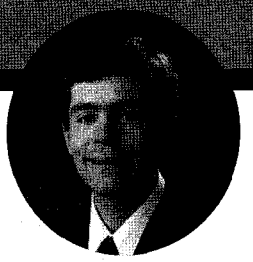
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ground, the most dramatic shift that can be expected in the next election is a GOP net loss of 15 seats or so from its current 232-202 majority. That would create a minimalist majority of a seat or two for one party or the other — a virtual, or an actual, tie in the House — hardly the stuff of which revolutions are made.

Redistricting reform measures recently brought before the electorate through public ballot measures have failed primarily because they have been promoted in one state at a time. Any individual state redistricting reform proposal will seem to favor one party over the other (the party in power has the most to lose), and thus be written off by many voters as partisan jockying, not real reform, no matter how even-handed the proposed new arrangements may be. Accusations of partisanship have defeated the advocates of reform, even though existing incumbents from *both* parties more often than not disapprove of the reform measure.

TODAY THE most efficient path to a complete overhaul of the redistricting system is *national* legislation to reduce the state-by-state battles from 50 tough fights to one clear one. It is time to resuscitate congressional legislation (proposed in the past but so far never advancing far) to mandate that the drawing of district lines for congressional seats be taken out of the hands of legislators and put into the hands of independent commissions. Congressional action would catalyze a parallel transformation of redistricting in state legislatures across the country as it would, by example, expose the obvious conflicts in the current system. It would represent the biggest shake-up in the American political system since the passage of the Voting Rights Act and conserve tens of millions of dollars otherwise spent on increasingly futile state-by-state reform initiatives.

Now that would be a revolution. CPR



The Law

Setting up for the next round of catastrophic wildfires

The folks behind 2003's deadly forest fires now want to stop bi-partisan moves to restore rational forest management.

DAMIEN SCHIFF

WHEN 740,000 ACRES across Southern California burned in catastrophic wildfires in October 2003, groups that literally make a living by obstructing government efforts to manage forests claimed that it wasn't their fault the forests had become overcrowded.

The other results of those horrific fires weren't their fault either: endangered wildlife dead, killed in the scorching fire; watersheds for millions of Californians dramatically damaged by ash and erosion; and native plants wiped out.

Now, those same groups – this time led by the so-called Center for Biological Diversity – are taking aim at our four National Forests in Southern California, seeking to prevent the U.S. Forest Service from implementing a balanced plan to manage the land, including efforts to thin forests and brushland to help prevent catastrophic wildfire.

Three years ago, we saw the result of a refusal to manage the San Bernardino National Forest properly: one of California's most catastrophic wildfires.

The forests – thanks to policies based on myth in-

Damien M. Schiff is an attorney with the non-profit Pacific Legal Foundation, which represents a group of Tuolumne County organizations in forest management litigation against environmental groups. PLF is the oldest and largest public interest legal organization dedicated to property rights, limited government, and a balanced approach to environmental protection.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

stead of science – became wildly overgrown, with hundreds of trees per acre where only 30 or 40 should have been. The result: the trees became weak, unable to get the nutrients and water they needed to survived.

BARK BEETLES infested the trees; the weakened trees couldn't fight back and most of the trees in the forest died – becoming perfect kindling for a catastrophic fire. Within weeks of those catastrophic fires, Democrats and Republicans in Congress united to pass by an overwhelming margin the Healthy Forest Restoration Act to better manage federal forests.

Standing firmly opposed to any real management of forests then – and now – are environmental extremists like the Center for Biological Diversity.

Unfortunately, this is not a unique situation.

In 2004, two major fires hit Amador and El Dorado counties, killing trees on tens of thousands of acres of forestland. Ash from the fire blanketed many areas, including Sacramento, where particulate in the air was 60 times the normal level, forcing people to stay indoors and canceling everything from family outings to football games.

After the fire, registered foresters and a variety of scientists recommended that the Forest Service allow private companies to reduce the future fire risk by removing dead and dying trees – and paying the government for the wood removed.

But rather than permitting the removal of these trees killed by wildfires in 2004 and reducing future fire danger, extremist organizations sued, asking the court to block any removal.

Meanwhile, the dead and dying trees rot further every day, losing their value – and robbing the government and taxpayers of any funds that these private companies might be willing to pay for the wood. Such monies could be used to restore public forestland.

Even plans to reduce fire risks by removing excess growth at the Giant Sequoia National Monument are routinelytargeted for obstruction – even though thinning there was agreed to by environmental groups when the Monument was created by President Clinton.

Once again, the groups march into court, beholden to a belief that no tree should ever be cut.

The forests – thanks to policies based on myth instead of science – became wildly overgrown, with hundreds of trees per acre where only 30 or 40 should have been. The trees became weak, most died, and became perfect kindling for a catastrophic fire.

The memory of the 2002 McNally fire apparently is lost on these groups. That fire burned more than 100,000 acres and came dangerously close to some of the Giant Sequoias. The Forest Service's plan would remove some small trees that act as "ladder fuels" — bringing the fire up to taller trees.

But it is on hold now — leaving the forest at risk even today.

SINCE COMMON sense hasn't convinced environmental extremists, it is time for them at least to accept responsibility for the consequences of their actions. Recently, a coalition of Tuolumne County organizations, represented by Pacific Legal Foundation attorneys, asked a court to require these environmental extremists to post a bond so that if their litigation fails, the government and taxpayers will get the money they would have received from pri-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

vate companies for the dead and dying wood. If the litigation succeeds, then no payment would be required.

Such a requirement would deliver a consequence to those who file lawsuit after lawsuit against responsible forest management and ensure that some payment is made to the government and to taxpayers. No payment can reverse the devastation caused by catastrophic wildfires, but it is time for those who thwart efforts to reduce risk to accept responsibility for their actions. CPR

Business Trends

Doing business without agreements

When trust is destroyed, all that remains to make things happen is force.

THEODORE A. ALTA

The California Energy Commission recommends state government take steps to reduce petroleum demand by 35 percent by 2025 and to mandate use of "alternative fuels." A California Chamber of Commerce report found this an expensive proposal, predicting that its implementation would increase consumers' energy costs $8 billion a year and result in more than 90,000 lost jobs. That such destructive proposals make headway indicates the breakdown of the first building block at the foundation of any vibrant business climate: trust.

The ability to make a contract, to work out its details involving large numbers of people in a complex enterprise and see it all happen as planned and agreed to is so much a part of our American economic culture it may appear to be a given of the human condition: something simply always present as a starting place in our interpersonal and group activities.

That it is *not* a given is indicated by the California Energy Commission's recommendation,. Like hundreds of other ideas proposed daily in Sacramento, it relies on force rather than voluntary agreement to get things done. The course this and other state agencies proposes indicates that our culture of trust or honest dealing with one another is diminishing and that, when it is gone, no basis remains for cooperative action except threats, coercion. California becomes a more difficult place to do business to the extent that this trend from honesty to force progresses, as the California Chamber report shows.

The best way to see how important this element of our business culture is and that it should not be taken for granted is to take a look at a different kind of culture, one not based on honest dealing. You never miss a thing until it's gone, the saying goes — and miss it with particular force when the "thing gone" is trustworthy agreement. To illustrate, I quote below at some length from an anonymous blogger, evidently a contractor in Iraq, who posted the following (shortened from the original) on antiprotester.blogspot.com. His experiences trying to get things done in that country provide striking illumination.

"I never had cause to think about what a powerful concept 'Agreement' is," the blogger wrote, "until I came to Iraq. Agreements provide us simple human creatures with the amazing ability to come together and create a shared vision about a future point in time. Then, together as agreed, we can organize and accomplish something towards that point in an otherwise chaotic world fraught with unpredictability.

"But in the Middle East, there is no such thing as an

Veteran political writer Theodore A. Alta runs a small business in Southern California.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Agreement. Whether a verbal commitment or a look straight in the eye or firm handshake or even a written contract, these things are worth next to nothing. Rather than organizing or finalizing anything, these acts merely serve as a continuation of the struggle. The Agreement, that poor casualty of the desert sands, is considered to be 'a first step.'

A FEW DAYS ago, I was called point blank and to my face a 'thief' and a 'liar' by an 85-year-old Iraqi from whom we are leasing a house. I wrote the lease agreement, including clearly stating the price for the first six months, and then a discount price for the second six months. These prices were based on verbal (read: painful) negotiations that had lasted for days. Once completed, I gave the lease contract to the gentleman, and he had it for two days. He contacted me a couple of times to change a few minor details, which I did. He then signed it, and I signed it, and then I sent it off to offices in the U.S. for payment processing.

"The day after we signed, the gentleman was beside himself and putting on all sorts of theatrics. With full-blown indignation, he said the price was too low, and 'the person' who wrote that wretched lease was trying to trick him and was a thief and a liar! (He knew that 'the person' was me, he just wouldn't say so to my face).

"Only in the Middle East can one be called a thief and a liar for conniving to make the terms of a contract clear, and then expecting those terms to be met after the contract is signed.

"In addition to trying to screw each other, there is the opposite condition of trying to avoid embarrassment — to 'save face' or keep one's 'honor' in front of each other. Under this cultural imperative the lies fly, efforts die, but the Muslim, forever, keeps his head held high.

"So, for example, when you are talking to a company president about delivery progress of a critical item by his company to a location, he's getting it from the field supervisor, who is getting it from the guy who is related to the guy who is friends with the guy who owns the trucking company, who gets it from the dispatcher, who gets if from the truck driver (who also happens to be the company president's nephew, but that's another story).

"Each and every one of these guys, all the way through the chain, will lie to the guy above him when asked about the delay in shipment (and there *is* a delay — always).

"In order to save face, each will say whatever they think is good news, no matter how false and misleading it actually is. By the time you talk to the boss, who is also trying to save face with you, there is no relationship between what you are being told and what is really happening — none.

"I had steel prefabricated buildings to construct at project sites throughout Iraq. They were to be ordered from a factory in Kuwait, fabricated, loaded, and trucked to sites in Iraq in 11 weeks. I inquired as to progress at least weekly. I was told when they were ordered, when manufacturing began, when they were completed, when the buildings were staged, when they were loaded on to trucks, and when the trucks were waiting at the Iraq border.

"Everything was communicated with exact details every step of the way.

"The trucks were held up at the border for several days, then a week, then two weeks. Excuses abounded. I finally sent a Westerner down to the factory in Kuwait, only to find that the first step — the order — had not yet been placed.

"I have the same story for drawings development, materials delivery, work crew subcontracting and mobilizations, security incidents, equipment delivery and basically every single step that involved only Arabs

Golden State Leadership Team

Since its founding by Ronald Reagan and John Wayne, Golden State Leadership Team members have helped California Republicans elect leaders from the White House to the State House.

Because we value your support, the California Republican Party has put together a special group of benefits for Golden State Leadership Team members, including: complimentary invitations to private receptions with national and state Republican leaders; periodic polling and political insider information on California and the country; and special VIP recognition at the State Party Convention.

Membership is $2,500 per year.

Golden State Leadership Team contact at CRP:
Molly Hogan
MHogan@cagop.org
916-448-9496

ADVERTISEMENT

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

An Opening for Common Sense

"The beginning of political wisdom is the recognition that liberalism is at the end of its intellectual tether."
— Irving Kristol

What used to be called "liberalism" has degenerated into reflexive attacks on everything from the family car to free speech to the Boy Scouts — a movement without a mind and with nowhere to lead. Common sense is the cure — find it in the pages of *California Political Review*. Subscribe today!

I can't tell you how impressed I am with California Political Review. — **William A. Rusher**

California Political Review is filling a critical need in the Golden State. — **Bruce Herschensohn**

To order, visit our website (www.cppf.us) or call: 1-800-887-7676

or send this form to the address below. Thank you.

Send me a full year of *California Political Review* (SIX bimonthly issues PLUS, every Friday, *Capitol Watch* by e-mail) for the Special NEW SUBSCRIBER rate of just $19.95 — more than 32% off the cover price!

Name _____
Please Print

Address _____

City _____ State _____ Zip _____

E-mail address (Required to receive Capitol Watch) _____

___ Check (payable to the California Public Policy Foundation) ___ Credit Card: ___ MC ___ Visa

Credit Card # _____ Exp. Date _____ Signature _____

CALIFORNIA★POLITICAL
REVIEW

Must reading for informed Conservatives

California Political Review, P.O. Box 931 Camarillo, California 93011-0931, *www.cppf.us*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

when no Western direct oversight was possible. Why not just do it yourself?

"Direct oversight is the key, of course. But if I need to verify that the doorknobs are actually at the warehouse like I'm told, it costs me thousands of dollars in security services to go see for myself, and me *[sic]* and my team are all risking our lives in the process."

RELIANCE ON coercion, as seen in the California Energy Commission recommendation at the top of this column, is usually considered the *cause* of economic breakdown by free market advocates who urge instead that people be permitted to work out their own arrangements. But in an important sense, relying on force is less cause than effect: it is the sole course available until respect for honesty is firmly and deeply established in the popular culture. The notion of "honor" in Iraq as described by the anonymous blogger is merely another false-front substitute for the real thing. Honor, the genuine article, is what honest people take the trouble to be honest in order to maintain: to be able to look themselves in the eye in the morning after being able to sleep with their consciences through the night. Call it a moral convention, if you will, but it is the first priority to doing business, which is how we create prosperity.

In California, even more than in other parts of the nation, the cultural habit of honesty is not only in decline but under unremitting, sharp attack. Public schools (education reformer Allen Bloom informed us in *The Closing of the American Mind),* especially higher education, have reduced their moral focus to teach only one lesson: that no one knows the truth or the right or the wrong about anything and that anyone who thinks he does is an incipient tyrant impatient to begin enslaving the rest of us. The law, especially as seen in Supreme Court decision-making, long ago ceased to have anything to do with honest interpretation and application of our written codes or constitutions. The judges decide the outcome their philosophical predilections support and invent the reasoning to support it — exceptions, important ones, exist on the bench, but this is the predominant idea. And in public policy generally, the one suggestion that will bring derisive rejection in Sacramento is that we might look at the results of our public programs and decide whether or not to continue them depending upon how well they are fulfilling their mandate.

In such an anti-intellectual environment, is it any wonder that business, which is built on honest dealing, is among the number one enemies of the day? CPR

The Sacramento Club

THE CALIFORNIA PUBLIC POLICY FOUNDATION

Sacramento Club Members provide essential support to keep *California Political Review* publishing. They share CPPF's devotion to individual and economic freedom; traditional American values; and honest, open, robust debate.

Join today to help publish *California Political Review!* Membership (donation of $1,000 or more) Benefits:

- Full year complimentary subscriptions to *CPR* and *Capitol Watch*, plus e-mail alerts of postings at *CPR Online*.
- Attendance at regular Club Briefings with California legislators and conservative political leaders.
- Two VIP tickets to all events at the Sacramento Club's annual Capitol Day in Sacramento. *(See this CPR's inside front cover)*

CPPF Sacramento Club 2006 Membership Form

☐ **YES,** I want to join the Sacramento Club to support *California Political Review.* (Contact us at: calprev@cppf.us or 805/445-9483.)
☐ I enclose my check for $ _____ to The California Public Policy Foundation (*mail to:* P.O .Box 931, Camarillo, CA 93011.)
☐

CREDIT CARD # _____ EXP DATE ___/___ Amount of gift: ☐ **$1,000.00** Other: ☐ **$** _____

SIGNATURE _____ NAME: _____ PHONE: ___/_____

ADDRESS: _____ CITY, STATE, ZIP: _____

Donations to **The California Public Policy Foundation,** a 501(c)(3) educational organization, are deductible to the extent permitted by law.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Monaco Group

Campaign and Fund-raising Direct Mail and Print Production Services

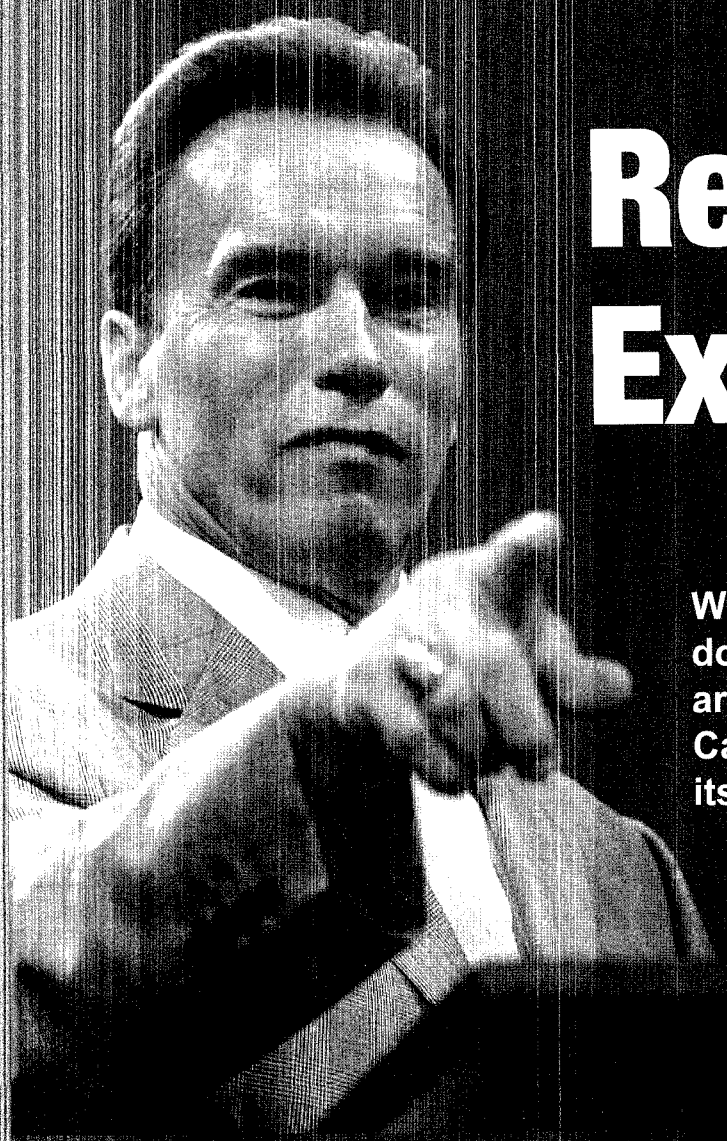
Printing • Personalization • Mailing
Graphic Design • Collateral Materials
Promotional Items • Data Services

INCLUDING

Absentee Ballots • Slate & Initiative Mailings
Campaign & Fund-raising Mailings
Self Mailers & Walk Pieces
Statewide Voter Files

The Monaco Group
1000 Ortega Way • Building C • Placentia, CA 92870
Tel: 714 630-5180 • Fax: 714 630-5187
www.monacogroup.com • e-mail: vmonaco@monacogroup.com

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



Re-elect Express?

With Angelides fading and a down-ticket slate of bright, articulate conservatives, can California's GOP move the state its way in November?

by John Kurzweil

November 5, 2002: a painful night for California Republicans. Begun in jubilation with the Grand Old Party registering gains across the country, it all ended as soon as the wave hit the Sierra Nevadas. Conservative Bill Simon fell slightly more than five points short of becoming the first challenger to defeat an incumbent governor since Ronald Reagan beat Pat Brown in 1966. Secretary of State candidate Keith Olberg and Insurance Commissioner candidate Gary Mendoza fell by similar margins, And, almost as if to add insult to injury, despite being outspent $10 million to $2 million, when all the ballots were counted, Tom McClintock fell just 16,000 votes shy of becoming California Controller.

Then things changed.

A governor was recalled, a secretary of state resigned, Republicans replacing both. The public mood was set for radical "house cleaning" in Sacramento. But before serious "structural reform" was implemented, an improving economy, a sharp slowdown in the rate of previously soaring spending increases, a halt to tax hikes, and the passage of time all worked to dissipate the public momentum. A calm settled in, and this year, when a significant surprise surplus appeared in state government coffers, old, lightly dozing habits reasserted themselves, the extra money was spent and a new deficit rung up. Having addressed none of the underlying causes of crisis that brought

John Kurzweil is editor of California Political Review.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

down a governor only a few years ago, the state begins to resemble Europe under the Versailles Treaty with the papering over of the last crisis having done little more than sow the seeds of the next.

In this context, Republicans field an unusually strong ticket of statewide candidates featuring several solid conservatives. While the governor may receive the headlines, it is the rest of the ballot that has many Republicans excited. Tom McClintock leads the list in down-ticket races, with state Senator Chuck Poochigian facing Jerry Brown for attorney general, Tony Strickland for controller, Claude Parrish for treasurer, and even a sure-to-be hot race for the usually unglamorous Insurance Commissioner post pitting entrepreneur Steve Poizner against Lt. Governor Cruz Bustamante, who, this time, may finally be retired once and for all.

Overview

With early post-Primary surveys showing state Treasurer Phil Angelides falling significantly behind a Governor Arnold Schwarzenegger who, following last year's Special Election drubbing, was all but counted out in some knowledgeable quarters as a statewide political force, Republicans, with some justification, are beginning to look optimistically toward November. And now political reporters and even pundit Dan Walters are bemoaning Republicans' "lost opportunity" to retake California (which the Party could have done, these folks say, by nominating "moderates" for down-ticket statewide offices, defining "moderate" as parting ways sharply with most Republicans on bedrock GOP issues). For Republicans, being chastised in this way by these absolutely reliable negative barometers must seem the surest indication they did the right thing in June.

The picture is clouded, however, many Republicans believe, because the governor, following the Special Election, has shifted sharply left and is running a me-too Democrat reelection campaign. The governor's big lead is fine with most Republicans, except for the way he's built it. "Overshooting the middle," said *Flashreport* Publisher Jon Fleischman. GOP consultant Brian Park described the new Schwarzenegger as "flip-flopping once again, and reinventing himself this time as a liberal." Some Republicans wonder what effect on turn-out his campaign may produce: what if it depresses the GOP base vote while stimulating otherwise stay-at-home liberal Democrats to go to the polls to cast, perhaps, a GOP vote at the top of the ticket while shifting back to form from there on down, hurting the rest of the Republican slate? They worry about recent surveys showing the governor leading while Democrats are ahead in the rest of the constitutional office races.

Having addressed none of the underlying causes of crisis, the state begins to resemble Europe under the Versailles Treaty with the papering over of the last crisis having done little more than sow the seeds of the next.

A word about the polls in a moment, but first, to provide a little perspective, it should be noted that Schwarzenegger did champion genuinely conservative, and genuinely good government, reforms in last year's special. The proposals he backed at least identified many of the most serious root causes behind the real problems afflicting California government: lack of state spending controls; a politicized, out-of-control state employee pension system; big labor's extortionate taking of its members' money for politics; a teacher tenure system contributing materially to schools' inability to teach; and gerrymandering — a pot of poison if ever there was one. The governor identified the right targets, but took on too many of them at once far later than he should have while employing a wholly inadequate game plan for winning (see, for an analysis of the tactical errors that plagued the governor's special election effort: "A Party with the Courage of No Convictions?", John Kurzweil, *CPR*, Jan./Feb. 2006). Short of adopting the Machiavellian explanation that he deliberately sabotaged his own main event in some

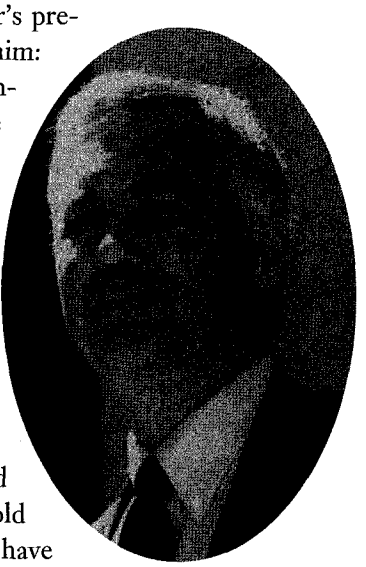
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

vast subterfuge to retain GOP support while actually doing nothing to upset the liberals' apple cart — a conspiracy theory of more than usual dubiousness — Schwarzenegger certainly deserves credit for these efforts to govern responsibly and in a conservative direction. Had he succeeded even partially, the damage done Democrat ability to inflict its misgovernment on California would have been substantial and potentially devastating.

Having failed spectacularly, however, the governor evidently concluded correctly that he needed a new political team and, far less so, that he should shift to the left. He reversed message almost entirely, ending all talk of cleaning house — a Republican theme (although not always, or even regularly, supported by big business) — to bedrock Democrat themes such as supporting big government environmentalism and switching to oppose Prop. 187. At least — and this is important — the new direction has involved no movement toward favoring tax hikes, although his willingness to borrow rivals that of any Democrat, and surpasses that of some. Dramatic results have followed the shift: Schwarzenegger's poll numbers reversed course and have risen steadily so much so that the election now seems his to lose. The question is: which elements of the make-over are responsible for the improvement?

Liberals will say the move to "the middle" (defining "middle," somehow, always as *their* position no matter how far left it is) deserves credit because it reflects the state's essentially left-leaning electorate's views. The only flaw here is that California's electorate is not "essentially left-leaning" — not while it enthusiastically passes ballot measures to protect marriage and ban race preferences while soundly rejecting "universal pre-school" and anything even hinting that it might raise the general tax rate, not while it kicks out a Democrat governor for running the state into a fiscal hole and replaces him with a Republican running on a solid Tom McClintock platform of reformist house cleaning. Don't forget, either, that polls consistently showed voters' favoring the specific policies the governor's special election aimed to enact. They voted them down for reasons unrelated to their merits as policy.

On the other hand, Schwarzenegger's current political advisors seem certainly to be better tacticians than those he had before. This group, for instance, did to Phil Angelides following the June Primary exactly what the governor's previous team allowed to be done to him: carpet bomb early with mostly unanswered TV, pounding home the anti-Angelides message. "Coming out of the primary with no money, Angelides got $12 million dumped on him," observed GOP consultant Jim Nygren.



In addition, most Republicans would agree that Democrats did the governor a favor in their Primary. "Arnold is fortunate to have Angelides as his opponent," said GOP strategist and pollster Arnold Steinberg. "Westly clearly would have won."

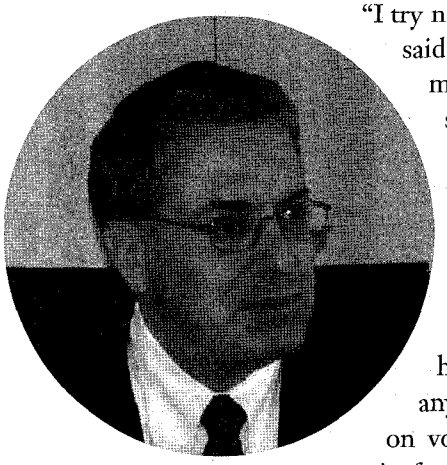
His current team also enjoys a much simpler mandate: just revive the governor's numbers, no matter how. They don't have to take on a vast, highly organized, lavishly funded, and fanatically determined established power structure. On the contrary, they are free to pander to that very Goliath, and are happily doing exactly that. California's conservative majority has nothing supporting its broad interests remotely to compare with the big labor/trial lawyer/major media/pop culture/educrat/ideological wacko political machine of the state's liberal/left establishment.

All the governor's current political team has to face is Phil Angelides — whose campaign, Gray Davis (and Steve Westly) political guru Garry South recently said is simply "wrong" in about every way it could be. Beyond that, Angelides is far from enjoying unified Democrat support. As *CPR* Editorial Board member William E. Saracino reported at *CPR Online* (Musings: "Tsunami forming?", June 28, 2006, www.cppf.us) "the state's two top Latino politicians are clearly rooting for a Schwarzenegger victory, though it's unlikely either will openly endorse the governor. L.A. Mayor Antonio Villaraigosa sees the mayor's office as a stepping stone to running for governor .... A newly-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

elected Gov. Angelides throws a major monkey wrench into those plans .... As for Assembly Speaker Fabian Nuñez, he not only is Villaraigosa's close personal friend, but, mindful of legislative term limits, sees himself as following his pal into L.A. City Hall as his successor .... between them, Nuñez and Villaraigosa command a large, loyal following among Hispanic voters. If the word goes out that a good Hispanic Democrat can vote for Schwarzenegger, the effect would be disastrous for an already struggling Angelides campaign" and would "sow chaos and disruption through the entire Democrat state ticket and infrastructure ...." Such signs and portends bode well for all GOP statewide nominees, and should serve at least somewhat to quiet conservative fears about the turnout implications of the Schwarzenegger campaign.

As for polls showing the governor up while the rest of the GOP statewide slate is down, some points should be borne in mind. First, while both the Field Poll and the Public Policy Institute of California (PPIC) have the governor up over Phil Angelides, only Field — at this writing (early August) — among the statewide "public" polls, has reported post-Primary on the statewide down-ticket races, and Field's methodology is widely criticized, especially in its early polls taken months before election day. Veteran pollster Arnold Steinberg, quoted above, told John Fleischman (in *Flashreport)* last November: "I try not to read Field polls." He said Field "cuts corners to save money. It's inconsistent — sampling may be limited or stretched out. It tends to be speculative but tries to become accurate near the end." In contrast, Steinberg said "I take PPIC more seriously. It has less of an agenda, if any," although "it's often off on voter propensity, but that's not its function."



The Field Poll released early this August showed Garamendi leading McClintock 48 to 38 percent. McClintock's campaign responded that "Although a Field Poll released this week gave an edge to Garamendi, McClintock leads Garamendi in another poll commissioned by the California Republican Party." The CRP-commissioned-poll, conducted by Public Opinion Strategies, of "likely voters" found a 38 to 34 percent lead for McClintock. Among voters who voted in all of the last four elections, the POS survey found McClintock "leads by 11 percent" — 46 to 35. Independents, according to this poll, gave McClintock 32 percent to Garamendi's 23 percent. Finally, voters who expressed a "favorable" or "unfavorable" view of the candidates gave McClintock a 47 to 36 percent lead in this poll.

When asked about the Garamendi-favoring Field Poll, McClintock told reporters "there are two factors at work. One is the bounce he [Garamendi] got from spending $1 million in the Primary while I was conserving my money for the fall. The second is that the poll coincided precisely with his media blitz on rate regulation. Also, Field's methodology is quirky in their early polls. They sampled 378 registered voters. Our polling in June (which surveyed 800 *likely* voters) had us up between 4 and 11 points, depending on turnout models. I take the poll seriously, but would be far more concerned if this was the October poll." Apropos Steinberg's comments that Field's "sampling may be limited or stretched out," Public Opinion Strategies conducted its larger-sample survey over three days – June 11 to 13 — while Field reportedly spread its calls over nearly two weeks, from July 10 to 23.

Naturally, liberal pundits pounced on the Field Poll to pronounce their GOP Primary "blown opportunity" theory, but even if the suspect Field was entirely trustworthy, it is pointless to make pronouncements about Californians' broad political philosophy based on surveys taken before one candidate has spent any serious money while the other has just fought an expensive Primary battle. The conservative-liberal jousting over political ideas has barely begun and, as with the governor's special election defeats, the evidence strongly indicates the public mood *vis à vis* the governor and the down-ticket Republicans is based on factors largely unrelated to the substance of the policies these Re-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

publicans espouse: the skill of the governor's political tacticians and the quality of their early moves; the character, strengths, and weaknesses of the Democrat opposition; the timing and, perhaps, the methodology of surveys.

And, yes, none of it indicates a conservative victory either. To win, the conservatives will have to run good campaigns and get some breaks — Democrat blunders would help too — while, most importantly, Californians who deplore the demolition of their state by special interest liberalism will have to lay aside any disappointments the governor may have engendered and contribute sufficient resources — both volunteer time and campaign cash — to deliver the conservatives' message to the voters. The two pieces of advice conservatives should resolutely ignore are, first, that the basic Republican message should be eviscerated in a meandering trek toward some undefined political "middle ground" and, second, that differences with the GOP base over the governor's current policy agenda and campaign themes should be fanned to divide the Party. No Democrat stratagem could hope to achieve the devastation to the GOP cause either of these courses would insure.

Speaking of turning out the political base, both Field and PPIC had Angelides' support among his *Democrat* base laughably weak: in the mid-60s in one. Perhaps this is the source of some of the concern that the governor's Democrat-lite campaign might bring out disaffected Democrats — disaffected from Angelides, though not from their Party overall — in November, voters the rest of the GOP ticket would prefer stayed home. But once the bitterness of Primary season fades in Democrat memories, and barring some one or more catastrophic campaign blunders on the donkey party side, the odds heavily favor Angelides' base re-coalescing around his candidacy. If Democrats vote for their man in the more traditional 80, or even only 75, percent range, the governor's race falls within the margin of error. At that point, every newspaper in the state would be running stories about Phil having the momentum going into the final push. It seems certain Schwarzeneggger will have to have the GOP base to win, and so his campaign team will have to make sure that those are the voters, along with undecideds, to whom the campaign gives strong reasons to turn out for the governor.

To close, individual looks at the down ticket races currently generating the most interest:

LT GOVERNOR

"Tom McClintock has been the California conservative cult idol for over two decades. Since the recall election he managed to go mainstream garnering one of the highest favorable rating of any politician in the state," said Jim Bieber, owner of Bieber Communications, a top Republican direct mail firm. While the recall put McClintock's name firmly in the minds of average Republican voters, it was not his first statewide run. Two campaigns for state controller fell just short of victory, most recently in the agonizingly close 16,000-vote defeat to Steve Westly mentioned at the top of this article.

During the recall, McClintock built a national conservative following, that he has since developed into an impressive grass-roots funding base. This is a significant reason that, where previous campaign fund raising has seen only marginal success, this year McClintock already has about $1.5 million in the bank.

If anything, he probably is dedicating too much time to fundraising," jokes McClintock Senior Political Advisor Lorelei Kinder — an accusation that could never have been made, even humorously, in the past. GOP insiders say McClintock also shares the governor's "luck of the draw" in his Democrat opponent, having side-stepped the potentially far more serious challenge Jackie Speier would have presented to face Insurance Commissioner John Garamendi. The Democrat lt. governor nominee "has some pretty big negatives," GOP consultant Jim Nygren said. "While the Democratic insiders like him, the Party activists don't."

On McClintock's chances overall, Nygren said forthrightly: "I think he's going to win. What people don't realize is Tom is reasonably popular with Democrats and Independents." With more money, more focus, and a vulnerable opponent, McClintock appears better positioned than ever before to post his first statewide win.

ATTORNEY GENERAL

Beginning about three decades ago, Jerry

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Brown made a name for himself as Governor Moonbeam, warring as an early New Age fadist against the family car, husbanding a vast Medfly infestation that threatened agriculture across the state, naming Rose Bird, demonstrably the worst judge ever to occupy any bench in American history, to be state chief justice, running for president (three times!) as avatar — almost to the point of self-satire — of a lost and searching generation, and trotting off to Africa on "safari" with Linda Ronstadt. For Republicans, that's the good news about state Senator Chuck Poochigian's opponent for the state office arguably second in importance only to the governorship itself. The bad news is, the voters don't remember (and most, being too young, never knew) any of that, Brown having mostly disappeared from the limelight since the early 1980s. In addition, Brown is a master chameleon who, less than a year after campaigning heartily against Proposition 13, had convinced a majority of Californians (according to at least one poll) not only that he was among its firmest supporters, but that he had never opposed it in the first place.

"Jerry Brown has reinvented himself more times than I can remember," said Brian Park. "And the current Jessica's Law supporting, Prop. 66 opposing Jerry Brown, with a war chest of over $4 million, despite a Primary challenge, is going to be hard to beat." Charles Poochigian promises a stiff fight. Raising close to $3 million himself, Poochigian brings a record of effectiveness in office for having, among many other achievements, authored last year's Workmen's Compensation reform. A candidate who gets things done makes a good contrast to one perceived as a flake. One key for Poochigian — as for any candidate — will be adequate funding. A rumor is alive among political insiders that the U.S. Chambers of Commerce is putting together a multi-million dollar warchest to campaign for state attorneys general. "If that happens, Chuck could win," Jim Nygren said. A second key is a strong showing at the top of the GOP ticket, with Senator Poochigian possibly "the biggest beneficiary," GOP strategist Joe Giardiello said, "if Arnold is able to win convincingly."

CONTROLLER

People have tended to underestimate Tony Strickland. He started as a blip on the radar in his first Assembly race in 1998, then came from behind to win. Giardiello, Strickland's consultant in that first race, described him as "most dangerous" when "people underestimate him .... You can never count him out."

He seems able to make up in sheer determination and fighting spirit what he still may lack in experience. The CRP-sponsored Public Opinion Strategies post-Primary poll that gave Tom McClintock the early lead also showed Strickland up eight points among likely voters against Democrat nominee Board of Equalization member John Chiang. Strickland's role heading up the California Club for Growth, a widely-respected pro-taxpayer political organization, is a further advantage, as Jim Nygren, who ran the campaign of Strickland's Primary opponent, Senator Abel Maldonado, acknowledged. "Ballot designation really matters," Nygren said. "And Tony, as Taxpayer Organization President, has a great one."

The race for controller, a post at the center of state finances, automatically spotlights the tax issue, to the benefit of any Republican candidate. In addition, Chiang's record on the BOE — an agency decidedly *not* known for standing with the interests of taxpayers — should receive intense scrutiny. The key, as always, is funding, which means Strickland's ability to convince potential donors his candidacy is viable. Given a favorable issue mix, Schwarzenegger's rising popularity, and a slim lead in that post-Primary poll, Strickland has a case to make. Will the donors listen? Stay tuned.

INSURANCE COMMISSIONER

Steve Poizner, a 49-year-old Texas native, founded SnapTrak, which developed cell phone pinpointing technology that the candidate says, "will save thousands of lives each and every year." SnapTrack was acquired in 2000 for $1 Billion by Qualcomm. A year ago, Poizner was known by two groups of Republicans: the most active insiders and those who vote in the Silicon Valley-area 21st Assembly District, where, in

(Please turn to page 27)

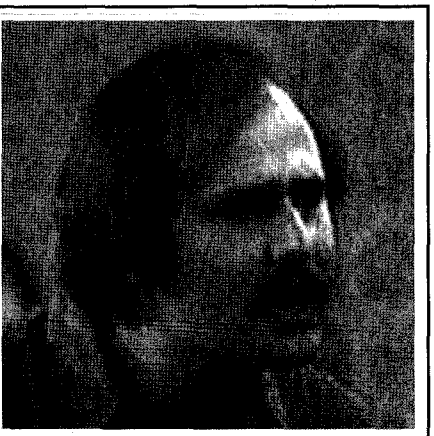
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Pain therapy

Taking the (Prop. 87) cure

M. David Stirling

TWENTY YEARS AGO, environmentalists influenced Congress to ban oil drilling along the Atlantic and Pacific coasts, Florida's Gulf coast, and in the Rocky Mountain region. Since that time, U.S.-based crude oil production has declined 43 percent: from 9 million barrels in 1985 to 5.2 million barrels in 2005, while net crude oil products imported from foreign countries rose by nearly 200 percent: from 4.3 million barrels in 1985 to 12.4 million barrels in 2005. Today, when most Americans, including President George Bush and many members of congress, want to expand U.S. oil production to reduce our dependence on oil from erratic and unfriendly foreign governments, environmentalists here in California are pushing to end America's use of oil altogether.



ROB REINER AS MEATHEAD

The November 2006 statewide ballot includes the environmentalist-inspired, millionaire-funded "California Clean Alternative Energy Act" (Proposition 87), a measure that seems intended to devastate California economically, drastically diminishing every Californian's quality of life. If not so intended, then it is a dictionary-definition-grade exemplification of the Law of Unintended Consequences. It is also the latest in the series of "Dangerous New-Age Initiatives," discussed earlier in this column [*CPR*, Jan./Feb. 2005].

According to the New Age Initiative Playbook, a private citizen sponsor, committed to a personal political agenda, persuades voters to give control over millions of dollars of public money to unaccountable political bodies that, in turn, spend the funds to further the sponsor's political agenda.

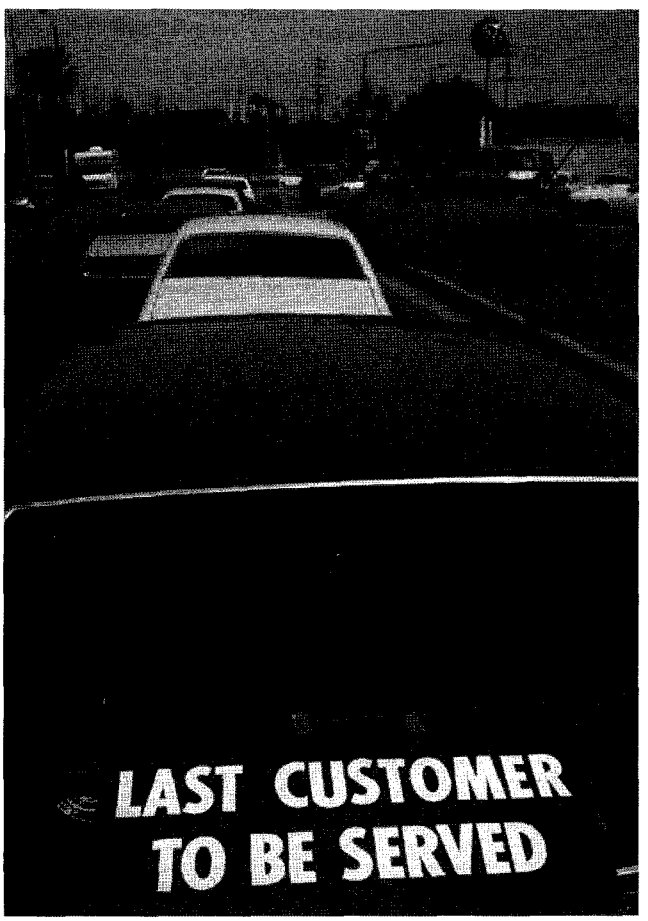
Mr. Stirling is vice president of Pacific Legal Foundation (www.pacificlegal.org), the nation's oldest public interest legal foundation defending private property rights, a balanced approach to environmental protection, and free enterprise. This article appears in lieu of Mr. Stirling's regular column, "Those in power over us."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The original of this new breed of initiatives, 1998's Proposition 10, was hatched by wealthy Hollywood producer Rob Reiner. The cause the measure purported to serve — early childhood development — is as worthy as many other good causes, but certainly no more so. The real issue was not whether the cause was good, but the wisdom of creating special extra-legislative funding as a way of serving it. That this was even a sincere effort to serve the cause, as opposed to creating political mischief under its feel-good cover, is certainly open to question, especially given Reiner's left-wing political views in general and the left's overall antipathy toward the constraints free societies place, for their own protection, on arbitrary exercise of political power.

MISCHIEF MORE THAN MORALS

And the proposition itself indicated that mischief more than morals lay behind the scenes. Prop. 10 cleverly offered the state's majority of non-smokers the tempting opportunity to slam a politically unsympathetic group by imposing a 50 cents-per-pack surtax on cigarettes. The roughly $700 million of annual Proposition 10-generated revenues goes not to the state treasury to be spent by the people's directly-elected representatives in the state Legislature according to that body's collectively-determined priorities. Instead it goes directly to a group of commissions consisting of politically-appointed members. Reiner crafted his measure to provide minimal guidance (that is vague to boot) on how these commissions are to fulfill their childhood development mission, so they are free to spend the cigarette-tax revenues — roughly $5.6 billion since 1998 — any way they choose, needing only to claim some remote relationship to the mission.



REINER ALSO constructed Prop. 10 to avoid oversight by elected officials. This set-up is aberrational: the voters' representatives hold every other agency or commission of state government accountable for their spending choices. Reiner's anti-democratic commission structure makes it extremely difficult, if not impossible, for the public to track or evaluate the commissions' performance: even to know which early childhood development programs Prop. 10 is affecting, much less whether it has improved them. Merely finding out how these public funds are spent becomes a Herculean task.

Pacific Legal Foundation and others challenged Prop. 10 in the California Supreme Court, arguing that, unlike any other law enacted by the Legislature or through initiative, Prop. 10 allowed autonomous, free-floating, unaccountable political bodies to operate outside the state Constitution's historic process of checks and balances designed precisely to insure accountability. Surprisingly, the Court found no problem with that, upholding the measure under the state Constitution.

In 2004, evidently taking his lead from Reiner, wealthy real estate developer Robert Klein II wrote Proposition 71 to fund embryonic stem cell research. Klein provided $2 million and made sure the measure qualified for the ballot. Klein's personal political cause is finding a cure for chronic diseases — another worthy goal. But unlike Prop. 10's imposition of a tax, Prop. 71 mandated that the state sell $3 billion in 30-year general fund obligation bonds. Like Prop. 10, whose revenues go directly to unaccountable commissions, Prop. 71's bond proceeds are distributed to a politically-appointed 29-member Independent Citizens Oversight Commission to make grants to individual and institutional researchers. As the term "Independent" in its name implies, this commission owes no meaningful accountability to the people of California whose taxes over the next 30 years will be called upon to pay off

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

what, with interest, will be a $6 billion obligation. As of this writing, Prop. 71 remains under challenge in the courts.

LATEST INSTALLMENT

So, in the context of this history, comes this year's California Clean Alternative Energy Act, Proposition 87, the creation of Vinod Khosla, a Silicon Valley venture-capitalist and founding CEO of Sun Microsystems Inc. Khosla arrives with the required personal political cause: reducing America's reliance on fossil fuels, particularly oil, and developing alternative energy sources. "We've got a climate crisis on our hands," the April 3 *San Jose Mercury News* quoted him saying. "We have an energy crisis on our hands. We have our oil feeding Middle East terrorism, and we need to do something about it. Besides, consumers are paying too much." The "something" turns out, of course, to be the formulaic turning over of lots of money to unaccountable political appointees.

In bankrolling Prop. 87, billionaire Khosla elicited the support of near-billionaire/Hollywood movie mogul/environmental activist Stephen L. Bing, who is Prop. 87 campaign co-chairman with Khosla. Khosla also enlisted John Doerr, a fellow billionaire and former partner at Kleiner Perkins Caufield & Byers, one of nation's leading venture capital firms. Doerr is widely regarded as one of the top technology venture capitalist in the world. Of the $4.8 million raised by the "Yes on 87" campaign as of this writing, Khosla, Bing, and Doerr put in the first $3 million. The three have worked together previously. According to newspaper accounts, Bing contributed $1 million to Reiner's Prop. 10 campaign, while Khosla and Bing together contributed $1 million to Prop. 71's success. Doerr chipped in on Prop. 71 with another $1 million.

Following the Prop. 10 script chapter and verse, Prop. 87 would impose a tax on oil companies — a politically unsympathetic target in light of record-setting gasoline prices and enormous company profits. However, even though the anger about oil company profits gives the measure a boost, Prop. 87's tax is not on oil companies' profits. It is to be levied on the amount of oil the companies extract from California annually. That is, it is crafted specifically as a disincentive to continued oil production in California. This attacks domestic supply, pushing prices up and aggravating dependence on foreign producers.

Prop. 87's $380 million a year in anticipated oil production tax revenues — $4 billion-plus over 10 years — would be placed at the disposal of a revamped state bureaucracy known as the California Alternative and Advanced Transportation Financing Authority. Made up solely of political appointees and their appointed staff, the measure authorizes the Authority to dole out these public monies to accelerate the development and deployment of clean alternative energy technology. But other than the routine "annual report" and the usual "independent financial audit by a certified public accountant," the Authority owes little in the way of accountability to the public or their elected representatives. Members of the Authority can spend the funds in any manner they choose, so long as there is some plausible connection to "renewable technologies, energy efficiencies technologies, clean alternative fuels, and clean alternative fuel vehicles." (*See* Section 3, "Purpose and Intent.") But the Authority must "expend four billion dollars ($4,000,000,000) within ten years," even if recipients of the funds are unable to show that they have made any meaningful progress in increasing alternative energy products or use.

TESTING THE PAIN THRESHHOLD

Prop. 87's stated goals are twofold: a 25 percent reduction from 2005 levels in the use of petroleum in California by 2017, and replacement of the lost petroleum with clean alternative energy sources. But, what if Prop. 87 accomplishes the first goal but not the second? It assumes that causing pain by depriving people of life's necessities should be used as a way to force them to conform to politically correct behavior. In this regard, the new plan falls in line with liberal thinking that advocates similar means to achieve a radical shift in the American peoples' patterns of meeting their energy requirements. Since the 1985 ban on off-shore production and other environmental constraints, oil extracted in California has declined approximately four to five percent per year. Today, California oil provides only 42 percent of the state's oil demand, with Alaska supplying about 22 percent, and the remaining 36 percent coming from foreign countries. All California-oil produced goes to California oil refineries. Of the total oil refined in the state, which includes oil produced outside the state, roughly 67 percent goes to gasoline and diesel production. (*source:* oil statistics contained in the January 25, 2006, Legislative Analyst's Report.)

If Proposition 87's clean alternative energy sources are not developed, are not developed fast enough to replace the oil lost following the 25 percent reduction, what forms might we expect the "pain" inflicted on the people to take? Perhaps we'll see a return to long lines at gasoline stations, designated fill-up days (reminiscent of Jerry

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Brown's governorship), and the reappearance of "no gasoline today" signs. Or maybe we'll merely achieve ongoing dramatic price spikes for a gallon of gas in California, further curtailing people's ability to drive to or perform their jobs, get to the doctor's office, to the market to buy food for their families, and countless other necessary tasks.

THIS POLITICALLY-PLANNED pain therapy dosage increases when, due to the prohibitive price of a gallon of diesel or the absence of diesel altogether, truckers become unable to move their cargoes in a timely way from producers to market; farmers cannot obtain fuel to operate their tractors, harvest their crops, or get their tomatoes or wine grapes to the processing plant; airlines cannot secure jet fuel at prices that enable them to transport passengers, cargo, or the mail economically, so they again resort to bankruptcy protection or worse; and huge cargo ships find themselves sitting idle in California ports, unable to secure fuel to enable them to return to other ports for new supplies of goods.

Prop. 87 will also, to the extent it lowers fuel purchases, reduce gasoline and diesel tax revenues that help pay the budgets of state and local governments. Said governments would then either severely reduce public program funding and drastically cut back services or hike taxes — or do both.

And there's more: if oil companies can no longer extract oil they once expected to produce, then the value of their oil reserves in the ground is diminished. This would substantially lower their local property tax payments, seriously depleting funds for K-12 and community college districts, forcing the state to make up the difference, again either by reducing other programs or increasing other taxes. Knowledgeable sources say Prop. 87 would effectively rob California schools of nearly $2 billion.

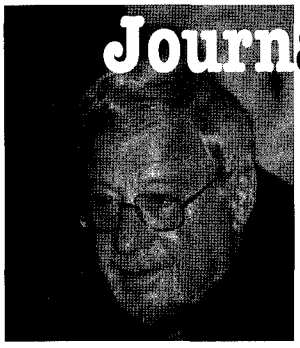
"At a time when California school funding is at the low end of the national average, this proposal [Proposition 87] will make matters worse" said John Mockler, a leading education finance expert and principal author of Proposition 98's school funding guarantee provisions. Because Prop. 87 would have been passed more recently than Prop. 98, its provisions keeping the new oil tax revenues out of Prop. 98 calculations would take precedence. That's why none of the new revenues could be spent for teachers, textbooks, or other school materials.

No one opposes research and development of clean energy alternatives to petroleum. But, except for recently appearing hybrid gasoline-electric automobiles (which still rely primarily on gasoline), little evidence exists to suggest that beginning as early as 2007, or even by 2017, automobiles, buses, trucks, large commercial aircraft, or ocean-going ships will be sufficiently fueled by solar power or ethanol to make up the 25 percent in reduced oil production Prop. 87 commands. Its proponents want California to bet that clean alternative energy fuels and vehicles by 2017 will fully offset the individual, economic, and societal losses resulting from its implementation. I'm inclined to believe that Las Vegas odds-makers would balk at giving high odds on that proposition.

But the real point at issue in this initiative is its advocation that California should attempt to set and achieve goals through top-down, command-and-control coercion, forcing people along paths chosen by the "Masters of the Universe" (from Tom Wolfe's novel *The Bonfire of the Vanities).* This is an old formula, only brought up to date in some of its implementing mechanisms by Prop. 87 — the latest in the Rob Reiner Frankenstein's Monster series of New Age Initiatives. Only here, the leading sponsors of the measure are venture capitalists whose personal and professional investment specialty is ethanol and alternative energy companies — the very industry Prop 87 is designed to benefit. CPR

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Si Frumkin's Journal



Three hats and a bonus

A few weeks ago I was honored at the Israel Independence Day Festival. There were kind words, plaques, and resolutions. I was on stage with an impressive assortment of friendly politicians and community leaders. About 50,000 people had come that Sunday. (Apparently the crowd wasn't large enough to deserve any mention whatsoever by our beloved *Los Angeles Times,* but that's another topic for another time ...)

I knew that I was going to be asked to say a few words but until I stepped up to the mike I really didn't have anything coherent in mind. I spoke, got a good hand — I might even say, modestly, an almost ovation — and that was that.

I thought nothing of it except for the business with the bonus and what a friend of mine — an important politician — told me at a meeting a few days later. "Quite a speech," he said. "Great! It will go down in history as Frumkin's Three Hat speech. We discussed it at our meeting later that day — you made quite an impression."

I don't have the actual text — I spoke from the heart, not notes — but here is what I tried to explain to the people who came to celebrate Israel's 58th birthday.

I wear three hats. I wear them with pride. Each hat is different and important — and I wear all three because I am a Jew.

The first hat is that of a Holocaust survivor. I was a 10-year old kid in 1940 Lithuania when I was sentenced to death. The sentence could be carried out at any time, without warning or notice. My death sentence was annulled when I was 14. American tanks rolled through the gate of my concentration camp and gave my

---

Si Frumkin is publisher and editor of Graffiti for Intellectuals.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

life back to me. Since then I — and other survivors — have built new lives for ourselves, got an education, worked, raised children and did all those things that 6 million victims had not had a chance to do.

I am grateful. But there is more than just not being a little pile of fertilizer in Eastern Europe. I have an obligation. It is to do whatever I can to make sure that there are no more Holocausts — not only against Jews but also against any innocents who are threatened, for unfathomable and evil reasons, by cruel, fanatical and merciless human beings. I, like most survivors, have a sense of guilt — and gratitude — for having survived and I do what I can to meet the obligation that comes with it.

1945 — Si Frumkin, age 14, in refugee camp in Italy, leaning on a Jewish Brigade truck.

My second hat is that of a Soviet Jew. I was born in independent Lithuania which was annexed by the Soviets before being occupied by the Germans. Many years later, as an adult in California, I learned of the fate that would have been mine if I had been repatriated to the Soviet Union instead of eventually making my way to the United States. I became involved in helping the Jews in the Soviet Union who were stuck, unable to leave that awful country for a better future elsewhere, anywhere, for themselves and their children. It took a while but we won. Against all odds we defeated the Soviet superpower and achieved emigration for the Jews. And almost two million former Soviet Jews now live in freedom.

My third hat is that of a proud American. Americans saved my life and the lives of millions of others. They rebuilt Europe from the devastation of the war. And then they kept Europe free from another tyranny that would have enslaved it.

They did it by going to war — and yes, war is often the only answer. They did it because historically, if America doesn't do it — no one else will, not Europe, not the U.N., no one. And then Americans go home — without occupying and enslaving those they had liberated. Can you imagine what the world would be like if there was no America? I can. It wouldn't be a world you would want to live in — a world of oppression, of gulags, of prisons, of tyranny. America isn't perfect — no country is — but is there another country where a black, a woman, a Latino, a handicapped person, a homosexual, or a senior citizen has the opportunities and privileges that America provides? And is there another country where Jews have achieved as much and are as accepted? And would there have been an Israel if there was no America? There are those who say that our foreign policy is based on oil; why then is the U.S. so constantly supportive of little Israel where there isn't a drop of oil and no other natural resources?

And so I say, God bless America and *Am Israel Hai* — and I wear my three hats proudly.

Oh yes, the bonus. I told the audience that I got a very real reward for my Soviet Jewry work — I found a Soviet Jew all my own, my lovely wife Ella who had come from Moscow just 13 years ago. I asked Ella to stand and take a bow — after all, what's the point of having a beautiful wife if you can't show her off? — and then I said that she was my Soviet Jewry bonus. To judge by the applause, I had made the right choice. Later several people came up to Ella, smiled and said, "Hi bonus!"

I guess she is stuck with her new nickname.

Lovable Granny's Kassam rockets

On June 26 I wrote a letter to the *Los Angeles Times* about the homemade rockets that were featured in *Times* articles again and again and again. Here it is in its entirety:

"'Homemade' evokes a lovable granny baking, cooking, or making soup for her family. It is used to convey a feeling that a homemade product is wholesome and good for you. It also implies that it was made in a home.

"The *Times* has been constantly using the word 'home-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

made' to describe the deadly Kassam rockets used by the Palestinians in their attempts to murder as many civilians as possible — most recently in stories on June 25 and 26. I wonder if you could indicate whether your reporters had visited the homes where these rockets are lovingly prepared and whether the homes also manufacture homemade cars or refrigerators? If not, where did this term come from and how did it come to be applied to deadly destructive weapons?

"In February 2006 a Kassam hit a home — a 7-month old baby and three adults were wounded; on March 28, 2006, two Israeli Arab shepherds were killed by the 'homemade' rockets. Is that cute enough to deserve the 'homemade' label?

"Sincerely, Si Frumkin"

The *Times* did not publish my letter. Neither did I hear from the *Times* reader's representative to whom I sent a copy and who is supposed to respond to any unfairness a reader points out. I didn't expect anything else so I just shrugged and wrote a somewhat longer piece that went out in my "Graffiti" newsletter and to a bunch of friends *via* email. It was translated and published in a number of Russian-language publications and on several Internet sites and blogs. Still, I realize that I was probably out-published by the *Times* by a factor of 1000:1.

But then a funny thing happened. The *Los Angeles Times* stopped using the word "homemade" in describing Arab rockets! I noticed that a few days after I sent my letter the report from Israel spoke of "makeshift" rockets. The rockets continued being "makeshift" for the next few weeks as well as "primitive," "inaccurate," or "crude."

I felt like David looking down at the fallen Goliath. I thought that there was justice and fairness and all the rest. And then, on July 21, 2006, on page A12, there was an article filed by the *Times Wire Services*, a subsidiary of the *L.A. Times* that distributes news to hundreds of publications. Here is an excerpt:

"The (Israeli) army has adopted a new policy of attacking homes in civilian areas where weapons — such as homemade rockets ... — are secretly stored ..."

And so here we are. The grandmas are apparently back making these rockets and the *Times* just couldn't help itself, and so, it resumed its old ways.

Well, it was nice while it lasted. CPR

Re-election express?

(Continued from page 20)

2004, as Republican nominee, Poizner fell just 4 points short of winning what would have been the upset of the year — or the decade — in a district George Bush lost by 35 points.

Poizner has gone from defending merely the fact of being a Republican, a liability in the 21st, and a "capitalist" in the assembly race to having to prove that he is Republican *enough* to Party rank and file members during this year's Insurance Commissioner race. Through a sometimes rough Primary, the candidate's sometimes liberal positions turned him into a punch line of conservative chatter. But with a focused campaign, a thorough airing of the facts, and an unusual degree of humility for a politician, Poizner now finds conservatives approaching with open minds. *CPR*'s William E. Saracino, for instance, placed the GOP I.C. nominee on his "'way more than half conservative" list in a post-Primary column.

Poizner starts with two huge advantages:

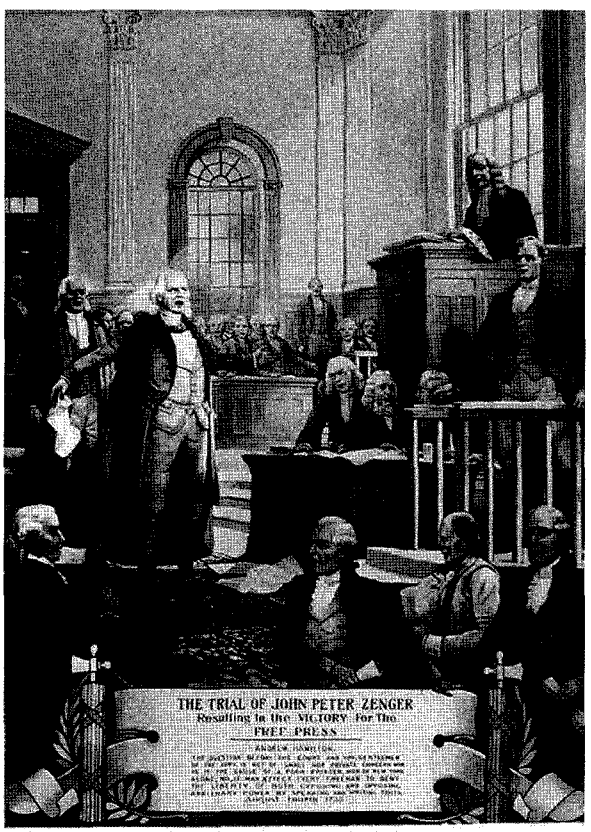
- the best possible Democrat opponent — Cruz Bustamante, who has never recovered from the thorough drubbing he received in the recall running as the Democrat to replace Gray Davis.
- the ability to fund his own campaign to whatever extent deemed necessary (he spent some $6 million in his Assembly race).

If, as seems likely, Democrat voters come home to Angelides before election day, the GOP ticket will be a team matter after all, whether consisting of strange bed-fellows or not. The governor will need his base voters in the end, and Phil Angelides should provide (and already is providing) plenty of left-wing horror material to motivate those GOP base voters to overlook whatever misgivings they may hold about the new Arnold Schwarzenegger, both because the alternative to his re-election could only make matters massively worse from their perspective, and because his re-election still provides Tom McClintock and the rest of the down ticket conservative their best shot at victory. These dynamics, for once, should help all parts of the GOP statewide slate. "Despite his second tier status on the Republican ticket his presence could be the biggest factor in turning out core conservative voters who have been taken for granted. McClintock will be the coattail that carries the rest of the Republican ticket," said Jim Bieber. CPR

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

What do you know about John Peter Zenger?

Gregory Sanford



Presented to the State Library with the Compliments of the Artist
David E. Lithgow

A FEW MONTHS ago I endured the harrowing experience of addressing a class of eighth graders at my son's school on the subject of Life as a Journalist — actually it was a lot of fun, the harrowing part being entirely restricted to my worries beforehand about what I would say. I mean, what do you say to eighth graders? It has been a lot longer than I care to relate since I was one myself. I was tempted to joke about 13-year-olds being much more mature than the folks with whom my work routinely brings me into contact: Democrat politicos and sundry liberals and leftists, but why introduce the sour note? Life does that soon enough.

Anyway, a young friend of my son's approached at the end of my talk and said his father had been a journalist (although now apparently happily pursuing some other occupation) and that his Dad had suggested he ask me what I knew about John Peter Zenger. His Dad must have a wry sense of humor. Of course I knew nothing about John Peter Zenger. However, I assured the youngster that good journalists are not expected to know everything, just

Gregory Sanford, a frequent contributer to California Political Review, *lives in Southern California.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

how to find everything out — quickly. I therefore promised to research the question and report. I did so; and it turned out that the John Peter Zenger story is one of a rather remarkable man who played a central role in a compelling drama in our American history, a story that involved critical issues in our nation's and the world's fight for freedom. (I found a full telling of the Zenger tale at: http://www.law.umkc.edu/faculty/projects/ftrials/zenger/zengeraccount.html — and recommend it for readers seeking further information.)

Since I suppose Zenger's story is as little known to many readers as it was to me, I thought my report might prove interesting and usefully informative and so submit it for your consideration.

THE BARE facts [I wrote my correspondent] are that John Peter Zenger was a printer who lived during America's colonial period in the first half of the 18th century. In 1733, he began printing a newspaper that contained criticisms of the then-governor of New York. The governor tried to stop the criticism by charging Zenger with seditious libel (a written defamation that threatens the government) and having him tried in court. Two major issues were directly involved: press freedom and a concept called jury nullification. The governor's side argued that the law would not allow anyone to publish anything, true or not, that could be expected to lead to the overthrow or even the weakening of the government. Their grounds were that the public peace depended absolutely on government maintaining the citizens' support which, in turn, depended upon the people continuing to trust those in government and to respect them for the critically important, often difficult job they took on, unselfishly, in the public interest. This was the press freedom issue.

In addition, in the course of the trial, the governor's side argued that the jury could not consider anything but the strict question whether the law had been broken in its absolute literal meaning. If it had, they were told by the governor's hand-picked judge, the jury *must* return a verdict of guilty, no matter what its members thought of the underlying issues of press freedom or about any abuses of power that the articles in Zenger's newspaper had accused the governor of committing. This brought in the issue of jury nullification: the idea that a jury may decide that a technically true violation of the law should not be punished or that such a violation should not even be considered a violation in fact at all if the spirit of the law — of all the nation's body of law, not just the specific law under consideration — would be better served by finding a defendant *not* guilty.

The full Zenger story involved all sorts of government-hatched mischief instructive about the tendency of those in power to succumb to every sort of temptation toward abusing it.

In this case, the spirit of the law, Zenger's defenders argued, was that the government and the law exist not only to protect the peace of the nation but, just as importantly, its freedom, and that enduring a little controversy — or even a lot of controversy — that helps preserve freedom is better than losing our freedom in the name of peace.

Finally, in 1735 (the law, evidently, being as agonizingly slow to get anything done then as now), the jury issued its verdict, agreeing with Zenger's defense on both key issues, as did most of the local people (who had been watching the trial closely), and finding Zenger not guilty.

The full Zenger story involved all sorts of government-hatched mischief instructive to anyone concerned about the tendency of those in power to succumb to every sort of temptation toward abusing it, and to succumb shamelessly, not seeming to mind how foolish the abuse makes them appear to all the world. In the Zenger case, the governor, one William Cosby, at one point proceeded on what he no doubt thought the brilliant scheme of handing control of the only established New York newspaper, the *New York Gazette*, to a man named Francis Harison, known to history by such unofficial titles as Cosby's "flatterer-in-chief" and "hatchetman." With Harison at the controls, the *Gazette* was filled with fluff and flattery about Cosby's magnificent administration. A taste of how silly things grew may be gained from the following verse the *Gazette* published:

> Cosby the mild, the happy, good and great,
> The strongest guard of our little state;
> Let malcontents in crabbed language write,
> And the D...h H....s belch, tho' they cannot bite.
> He unconcerned will let the wretches roar,
> And govern just, as others did before.

Of course, this enterprise backfired spectacularly,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

stimulating the citizenry to found the very paper that Zenger printed. In an irony perhaps too subtle for the honorable governor to notice, "letting the wretches roar" was exactly what he did *not* do, as soon as his opponents did in fact begin to write.

I would only add [I told my young correspondent] that the importance of the Zenger case is much clearer if considered within its historical context: that is, the context of the history of England — the Mother Country to everyone involved in the Zenger doings — during the several hundred years preceding Zenger's trial. A tradition had been developing in England for many centuries of ever-growing governmental power over ordinary citizens and one of paramount concern for the stability of the government against any threat of civil war or insurrection or even popular dissatisfaction with those in power. This tradition had its roots primarily in three major controversies:

1) over religious freedom (such as that between King Henry II and St. Thomas Becket in the 12th century and between King Henry VIII and Queen Elizabeth I and St. Thomas More and other English Catholics in the 16th century and between religious dissenters and the government-established Church of England in the 17th century),

2) over who rightfully should rule the nation (such as the more than 30-years-long War of the Roses in England during the second half of the 15th century over rival factions and claimants to the throne), and

3) over the rightful power of the English King and government over peoples that wanted to be independent (such as the Scots, who had been rebelling against English rule for centuries and whose last major rebellion was crushed by the English in 1745 — only 10 years *after* Zenger's trial and about three decades before the start of the American War of Independence).

In all three of these areas of controversy, the English monarchs and government had emerged triumphant and worked quite hard to secure their victories by creating an atmosphere of opinion in which the most dangerous and hated crime was not only rebellion but even criticism of the king or the government. It was this atmosphere that drove a lot of Englishmen to the colonies in search of religious and political freedom. The tide turned against this English tradition of growing government power and toward freedom for the people, not surprisingly, in the American colonies. Zenger's trial may well be considered an important element in that turning of the tide. It certainly foreshadowed our country's winning its independence and our forefathers, in establishing the new government, ending the transgressions against freedom that continued to bind the people back in England.

Since then, the controversy has not gone away. Today, under the name of "campaign reform," people in government, with the support of a lot of people around the country who I think should know better, are undermining our freedom to speak and write and try to persuade our fellow citizens about issues of government and politics and abuse of power by elected officials. Open criticism can often be unpleasant — just as it was to Governor William Cosby — and the democratic system, with open debate, can often lead to results a lot of us do not like.

Unscrupulous men can and too often do abuse press freedom and free speech to lie and manipulate people, to promote the hidden interests of powerful individuals and groups all the while disguising them as selfless concern for the broad popular good. Like those who argued for the government at Zenger's trial, well-meaning people invoke images of manipulation of the voters designed to move them against their own interests through deception under the protection of "free speech."

But using that as an excuse to stop people from using their own resources to express themselves and take part in the debate is no different in any way that I can see from what the governor of New York tried to do to Zenger and those whose words Zenger published. If we demand peace and harmony above everything else, we will lose our freedom. As a wise man — one you've probably heard of — named Winston Churchill once said, "democracy is the worst form of government ever invented, except for all the others."

Well, that's what I know about John Peter Zenger. What do you know?

[Evidently I left him speechless, or exhausted. I heard no more from my youthful correspondent, about Zenger or anything else.] CPR

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

CRITICUS

My Guys

BY G. B. TENNYSON

IF THERE were a post for a television critic to designate the worst television ads of the year comparable to that occupied by the self-appointed dress critic Mr. Blackwell, Criticus would be happy to serve. Among the worst he would designate are those ads for prescription drugs that end by telling the viewer in rapid-fire language all of the possible side effects of the drug the speaker is flogging, from migraine to diarrhea to kidney failure to liver malfunction, to miscarriage — "just check with your doctor," when the doctor is the one you are supposed to convince how much you need this drug. A runner-up would be those aspirin-like pills that once taken will banish your back pain in 30 seconds and put you swinging on the gold course like a pro. Another contestant would be the ads with pert and saucy children making smart remarks to their elders. One comfort lies in knowing that these little wretches will all grow up to be drug addicts and footnotes in the *Inquirer*. Also in contention are the commercials that show minorities only as judges, doctors, professors, scientists, and all-purpose wise pontificators. (The one exception is the unusually high incidence of black persons in commercials for constipation. Do admakers know something?)

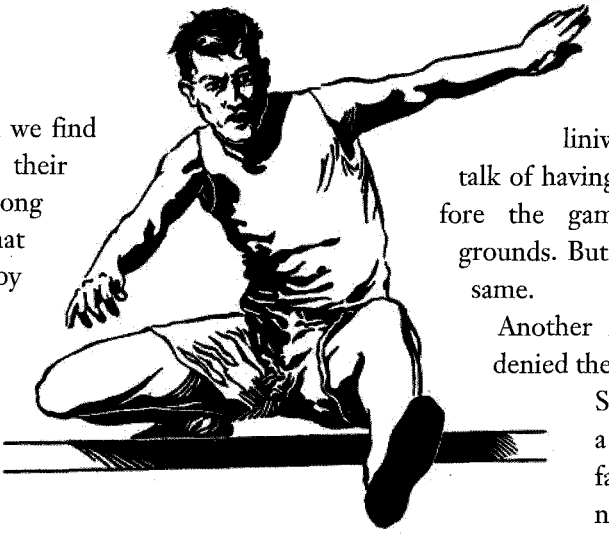
All of the above and others would make the Critical list of the worst television commercials. But there is one category that Criticus would add to his Mr. Blackwell-like assemblage. It is the commercial that is so bad that it is good, the equivalent of those cult movies by Ed Wood or *The Attack of the Killer Tomatoes*. The hands down winner this year in the so-bad-it's-good competition would be the commercial for the car dealership based on an adaptation of a once popular soul song called "My Guy."

The "My Guys" commercial is an ad for a car dealership in the San Fernando Valley that features what is apparently the dealership's entire staff singing and swinging to a "My Guy" adaptation. Although Criticus actually recognized "My Guy," he knew nothing more about it, so of course he researched it. It turns out to have been written by Smokey Robinson and to have been a number one hit in 1964 for one Mary Wells, who otherwise never attained such heights afterwards. It was widely recorded by others, including Dusty Springfield and also The Supremes (Criticus *had* heard

G.B. Tennyson sniffs out "My Guys" examples for CPR *mostly during the summer dog days.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of these performers), and in 1980 adapted for the Whoppi Goldberg film *Sister Act* with the recurrent title term changed to "My God," and rendering it as a kind of gospel song. (Trust Whoppi for vulgarity.) The original lyrics are fairly extensive, but you can get the flavor from the opening lines: "Nothing you could say / Can tear me away from my guy. / Nothing you could do / 'Cause I'm stuck like glue to my guy." It goes on with similar assertions about the impossibility of separating the singer from "my guy," ending with "There's not a man today / Who could take me away from my guy."



In the "My Guys" commercial we find the auto dealership staff in their work uniforms, coming along with transformed lyrics that praise the work of the staff, all led by a chubby smirk-smiling fellow, presumably the manager, who is surrounded now by the office girls, now by the mechanics. Manager wiggles and waggles, at one point from the top of some kind of workbench surrounded by the crew, all belting out lines that say things like "When it comes to service / We're never nervous / With My Guys" (Don't rely on these lyrics; Criticus is always in a state between laughter and incredulity when the commercial comes on and therefore has never got the lyrics straight.) Somehow, although the whole business is hilariously preposterous, it is also catchy and seems at times almost to be making fun of itself, not least when Chubby gets the rest of the cast to wiggle and sing along. Constant Readers may, like Criticus, even find themselves from time to time swaying to the bounce and beat of "My Guys."

In honor of the horror and the glory of the "My Guys" commercial Criticus designates the following notices of the follies and terrors of the past year as instances of the worst (and occasionally the best) that television has to offer.

NCAA STRIKES AGAIN

The vigilantes of the NCAA continued their struggle with schools whose nicknames and mascots allegedly offend against political correctness. Last year there were 19 schools placed on the list of banned mascots. Five were removed, five remained, and five changed nicknames. Of those that appealed the most notable was the University of Illinois. They won a minor skirmish in that the NCAA permitted them the continued use of the term "Fighting Illini." This came about when Illinois was able to show that in the early 1920s the school solicited money for a stadium dedicated to the students and alumni who had died in World War I and referred to them as Fighting Illini, hardly an Indian slur. But the school lost on the larger question of being allowed to continue to feature at games a man dressed in Indian costume and calling himself Chief Illiniwek. There is now some talk of having such a figure appear before the game outside the stadium grounds. But of course it won't be the same.

Another loser was North Dakota denied the use of the term "Fighting Sioux" despite the fact that a Sioux Chief came out in favor of it. Likewise, Indiana of Pennsylvania was ordered to drop its Indian name (unspecified in reports I read.) Bradley University was allowed to continue calling its teams "Braves" because the school had already removed all visible signs of things Indian, but it was placed on a five-year watch list. William and Mary is awaiting review. Its nickname is the Tribe. Herein surely lies a problem. Not only does the Bible speak of the twelve tribes of Israel but it constantly refers to persons as members of this or that tribe. And they don't mean Indians.

Perhaps William and Mary could call itself the Thirteenth Tribe?

But all of the foregoing is not all that the *chutzpah* of the NCAA has in its sights. It now wants to include South Carolina's athletic teams in its ban because the state of South Carolina still displays the Confederate flag on statehouse grounds.

It is beginning to look as though the NCAA thinks it is the ACLU. Criticus has previously discoursed on the many state flags that have variations on the Confederate flag on their banners. Will the NCAA ban their teams? Criticus thinks it is time for colleges and universities to disaffiliate from the NCAA and form a newer and more perfect union.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

MORE UN-LYRICAL LYRICS

Considering that the great-great grandson of Francis Scott Key dislikes the Mexican version of *The Star-Spangled Banner*, Criticus thought to give it a look. No expert in Spanish, Criticus could nonetheless wonder how the Spanish words could fit the tune of the anthem in the light of the fact that most of the Spanish words end in vowels and indeed are multi-syllabic whereas the English terminal words are dominantly single syllables ending with a consonant. Did they also change the tune? If so, why bother? Further, the official English translation of the Spanish is alternately vapid and incipiently jingoistic, *e.g.*: "We are brothers in our anthem. / In fierce combat, a gleaming emblem of victory / and the struggle toward liberty. / My people fight on. / The time has come to break the chains." Smells like *la raza* to me.

If that weren't enough, we have the spectacle of Canadian Neil Young writing and recording a song titled "Let's Impeach the President." Criticus has not heard the tune, but he has read the lyrics. They begin each section with "Let's impeach the President for ..." followed by various charges ranging from lying, abusing power, spying, hijacking religion, dividing our country into colors, and so on. The usual suspects have found all this, as one of them wrote, "serious and searing." Yawn.

MORE CHEERFUL is the news that a Church of England Primary School in Exeter, Devon, removed John Lennon's song "Imagine" from a planned concert. Constant Readers will recall that Criticus long ago complained of the vapidity of the lyrics. St Leonard's Primary School found one passage in them that was worse than vapid. It's when the lines about imagining a better world read "and no religion too." The Headmaster of St Leonard's gently pointed out: "We are a Church school and we believe God is the foundation of all we do." Imagine that.

A PLAGUE OF PLAGIARISM

Constant Readers and probably everybody else will remember the brouhaha occasioned this spring by the exposé as a plagiarist of the 19-year-old Harvard sophomore young lady named Kaavya Viswanathan. Her novel, cumbersomely titled *How Opal Mehta Got Kissed, Got Wild, and Got a Life*, contained at least 40 passages identical or very similar to parts of two novels by one Meg-

A Church of England Primary School removed John Lennon's song 'Imagine' from a planned concert. One passage about imagining a better world reads 'and no religion too.' Imagine.

an McCafferty titled *Sloppy Firsts and Second Helpings* (slovenly titles, those). Viswanathan's excuse was that she had indeed read these other novels and must have so internalized them that unconsciously identical or similar passages simply came out in her own book. Really? Less widely covered was the revelation around the same time that two other novels had passages that also appeared in *How Opal . . .* etc. These were taken from the British novelist Sophie Kinsella and the American writer Meg Cabot. That's a lot of internalizing. Of course the *Opal* book got pulled from the shelves and the movie deal was cancelled. But what has Harvard had to say about all this? Nothing that Criticus has heard. Perhaps that's considered outside of student affairs, but when Viswanathan was pre-accepted at Harvard at age 16 her application cited her as having written a novel but having refrained so far from signing a contract. She was also coached by a professional service that preps young people on how to get into top schools. It almost seems as though her life itself was like something taken from some other source. What would have happened if she had submitted any of her novel as course work?

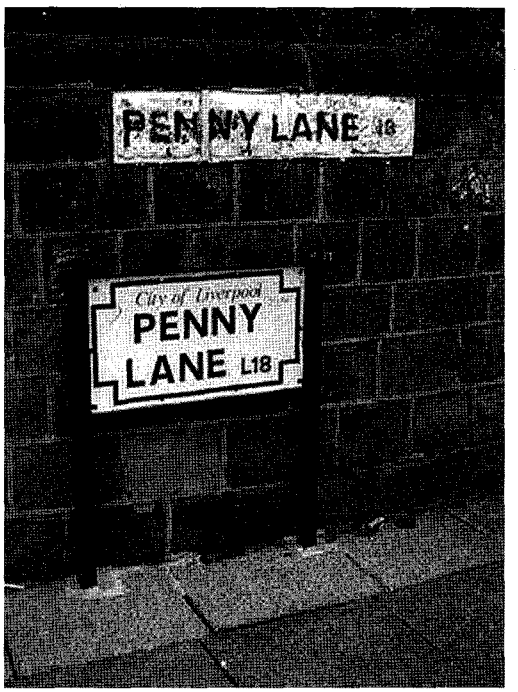
Some footnotes to the current plague of plagiarism, in case you missed them. The notorious Ward Churchill of the University of Colorado has been found guilty of plagiarism in a faculty investigation. A law suit is threatened .... A freelance TV producer who plagiarized passages from "The West Wing" in a report on the Kentucky Derby has been fired by NBC, but his name was not revealed .... The scandalous James Frey whose Oprah book club selection bestseller *A Million Little Pieces* was challenged on the veracity of much of the content of the so-called non-fiction book and ultimately brought forth his admission that much of it was indeed fiction. This is not the same as plagiarism, of course, but it does diminish confidence in the work. Frey has now admitted that his sequel *My Friend Leonard* is "a combination of fact and fiction, real and imagined

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

events." Why didn't he simply preface each fact/fiction book with the classic Hollywood cop-out: "Based on a true story"?

Finally a bit of sunshine through these clouds. On Friday May 19 at Hollywood Park the winner of the seventh race was a horse that had come in eighth, ninth, and sixth in his previous three starts. His name — Plagiarist.

A PENNY FOR YOUR LANE



Elsewhere the Beatles triumphed, ironically and unintentionally enough, over the forces of political correctness and in favor of the slave trade. The Liverpool City Council had been planning to rename a number of streets that had been named after slave traders, Liverpool having been a center of that kind of commerce, indeed the reason that Liverpool had become a consequential port at all. As the city fathers and mothers considered the issue it turned out that one such street was Penny Lane, named after a wealthy eighteenth-century slaver, one James Penny.

As every schoolboy knows, Penny Lane was where the Beatles grew up and was the subject of their song of the same name. A rather pedestrian piece in Critical eyes, "Penny Lane" evokes the everydayness of the street with its barber and banker and fireman and the like. But clearly it also evokes younger, simpler times among its listeners and certainly among its singers: "Penny Lane is in my ears and in my eyes. / There beneath the blue suburban skies / I sit." As a result of the Beatles' song, Penny Lane has for a long time been a place of pilgrimage. Tourist buses arrive daily, and so many street signs have been carted off as souvenirs that now the street name is painted on the side of buildings instead. So the City Council backed down and James Penny not only remains immortalized with the street name, but his extensive testimony on the humaneness of the slave trade and its many benefits to slaves and merchants alike has now been reprinted. We learn from his testimony that, all things considered, the slave trade was beneficial not only to Liverpool but to the slaves as well. I'll bet the Beatles never imagined that.

RACE MATTERS

Criticus would be remiss if he failed to alert readers to the latest racial dustups, but he'll try to keep them brief as they are becoming all too common. The British Royal Opera has banned the use of blackface in opera productions, as "racially insensitive." .... The U.S. Patent and Trademark Office has twice rejected a request by black comedian Damon Wayans to trademark a line of hip-hop clothing under a name that begins with the letter N and is quaintly reported as rhyming with "Jigga." .... A morning radio talk show host in St. Louis named Dave Lenihan was fired when he suffered a *lapsus linquae* in talking about the possibility of having Condoleeza Rice become commissioner of the National Football League. He was citing her many qualifications for the job and said: "She loves football, she's African-American, which would kind of be a big coon, a big coon — oh my God. I am totally, totally, totally, totally, totally sorry for that. OK?" And more in the same vein. He had meant to say "a big coup." Within 20 minutes the CEO of the station was on the air announcing that Lenihan had been fired .... Less racial than religious was the Iranian proposal that quickly fell from sight that the Iranian government was planning to require Iranians to wear Islamic clothing and various minorities to wear patches of colored cloth to identify their religion. Jews were to be required to wear, what else? a yellow strip of cloth, Christians a red strip, and Zoroastrians a blue strip. Why didn't they propose triangles?

SHED A TEAR

Even though Liverpool was stymied in its effort to change the name of Penny Lane, other places have not been so fortunate. Dictators and such like people constantly change names of places, even countries. Africa is awash with such when former western colonies became independent, so splendid names like Rhodesia became

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Zimbabwe. In the same vein in Asia after the Vietnam fiasco Saigon became Ho Chi Minh City, which apparently no one actually says, clinging either to Saigon or simply abbreviating the new name to HCMC. And Burma with its exotic sounding capital of Rangoon is now Myanmar with the capital of Yangon. The latest additions to these effronteries are the new Indian names for Calcutta, Bombay, and Madras. They have officially become Kolkata, Mumbai, and Chennai. With names like that it's no wonder that the British refer to the Indians as speaking "Babu English." Just remember, name changers, Leningrad got changed back to St. Petersburg.

NOT QUITE on the name change front but adjacent to it is the recent decision by the Red Cross movement to accept a third humanitarian symbol to go alongside the Red Cross and the Red Crescent. It's called the Red Crystal. What it is is a red square standing on its corner. It looks rather like the diamond symbol in a deck of cards or an incomplete traffic signal on a European road. The reason for this new admission was to still Muslim objections to the Israeli use on its humanitarian vehicles of a red Star of David and to gain admission to the international body for Palestine, which had been excluded since only sovereign states can be members. Now the Muslims have two symbols they can hide behind during combat.

Other sad changes must include the decision to modernize the last feudal state in the western world. It is also the smallest state in the British Commonwealth. This victim of modernization is the island of Sark. It is one of the Channel Islands off the coast of France, and it alone is still ruled by a system unchanged since 1565, which was enacted by Queen Elizabeth I. There is a governing body of 40 hereditary heads of properties and 12 elected "deputies of the people." It is known as the Chief Pleas.

No one actually holds land in what the British call "freehold," which is the way most of the private property in the United States is held. All the land on Sark is held on perpetual lease or fief from the "Seigneur" of the Island. It is but three miles long and about one and a half miles at its widest. There are no cars or roads. Its resident population is six hundred. Now they mean to introduce universal suffrage and a wholly-elected parliament. I trust the Seigneur will continue to be the only real landowner, but who can trust elected bodies? Please remember the Seigneur in your prayers.

Sad changes include the decision to modernize the last feudal state in the western world. One of the Channel Islands off the coast of France, it alone is still ruled by a system unchanged since 1565, enacted by Queen Elizabeth I.

THE FUNNIEST?

An experiment allegedly involving 300,000 people from around the world came up with the vote for the funniest joke ever told. The winner reads in a modernized version: Two hunters were out in the woods in New Jersey when one of them collapses and appears to be dead. The other whips out his phone and calls emergency services. "My friend is dead," he says. The operator says, "Calm down. I can help. First, let's make sure he's dead." Silence on the phone, then a shot is heard. Back on the phone, the guy says. "OK, now what?"

THE BRITISH professor who is advancing this line claims to have traced the original joke back to comedian Spike Milligan from some rare footage of the Goons (Milligan's comedy team) from 1951. The setting then is of course not New Jersey but an English home, and it is not even clear that Milligan is on the phone (certainly he wasn't on a cell phone) but could have been talking to two others in another room. Well, of course, jokes are notoriously given to skipping around the globe, as comedians are always in need of new material. Perhaps the original of this one does indeed lie with Spike Milligan. And perhaps not. It sounds very Borscht Belt to Criticus, reminding him of how he had to explain to a British friend the joke behind the movie title *Throw Mama from the Train*. It comes from adapting the Jewish expression "Throw Mama from the Train a Kiss." As for the Spike Milligan joke, the question is, Constant Readers, is it the funniest joke you ever heard? It certainly qualifies to share company with Criticus's other "My Guys" candidates. CPR

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

First Things

Truth

by John Kurzweil

In popular myth, ours is an age of reason: science has swept away superstition, by which society's elites mean religion, and materialism's first principle — that only material causes are real — defines both the spirit of the age and rationalism itself. Thus, reflecting poet William Blake's "fearful symmetry," in which liberalism invariably accomplishes exactly the opposite of whatever it sets out to do, this "age of reason" has dispensed with truth, substituting an unprovable certitude, materialism, roundly opposed by the evidence. Men, for example, have always worshipped, spontaneously acknowledging the reality of a higher order or being, but moderns blithely dismiss this profound movement of the human heart and mind, universal in both history and geography, without a second thought. They call *this* "reason."

In politics, this failure to respect the truth takes the form of a weakness for expediency over principle. Principle, that is, often seems *in*expedient in politics. Minimum wage controls, for example, are known by any competent economist to act like any other minimum price controls: they create surpluses — *i.e.*, unemployment: too many workers for the jobs available. Were ours in any sense an age of reason, no one would seriously advocate minimum wage laws as beneficial to low-skill workers because the truth (or science or reason, call it what you will) tells us plainly that these people are precisely the victims of such laws. But of course minimum wage laws are routinely enacted by politicians too unconcerned with truth to permit it to interfere with their pursuit of votes — expediency — with the enthusiastic support of masses of people too unconcerned with truth to learn what minimum wage laws actually do.

America's free society was built in a genuine (although already declining) age of reason by men motivated by principle. Was it remotely expedient for the colonies to go to war against England in the obviously impossible circumstances of 1776? The odds of avoiding hanging as traitors — never mind those against victory — were astronomical, as, I believe, the experiences of the signers of the Declaration of Independence demonstrated to varying degrees.

But the Declaration appeals to principles, not expediency, that is, to honest considerations of the truth about the human condition, about human rights, about justice and peace and freedom — truths equally valid no matter the practical outcome of holding to them when power demands they be abandoned.

The tedious ever-repeated story of left-wing "liberation" movements succeeding only in substituting a usually *more* oppressive tyranny for whatever they overthrow shows the futility of expediency as a road to freedom. Holding to principle because it is true whether convenient or not, paradoxically, turns out to be what works: it liberates the soul and, with persistence, the body.

We have endangered our American freedom by abandoning reason and truth, by training ourselves — as anyone familiar with pop culture or most education knows — to be, in fact, anti-rational. C.S. Lewis's *The Screwtape Letters* describes the mad scene exactly: in his first letter, senior devil Screwtape reminds apprentice tempter Wormwood that it has been centuries since "the humans" knew "when a thing was proved and when it was not." In those days, it is true, Screwtape avers, if a thing "was proved they really believed it. They still connected thinking with doing and were prepared to alter their way of life as a result of a chain of reasoning." No more. "Your man has been accustomed, ever since he was a boy, to have a dozen incompatible philosophies dancing about together inside his head" — a virtual definition of liberalism, which explains why liberals cannot even conceive of standing with freedom against the assaults of tyrants.

Next: Beauty CPR

John Kurzweil is CPR's *editor.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

PORAC

The Peace Officers Research Association of California, represents more than 58,000 working men and women in law enforcement, whose political funds assist Republican Party candidates and causes.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The California Nations Indian Gaming Association proudly supports the California Republican Party

CALIFORNIA NATIONS INDIAN GAMING ASSOCIATION

California's Leading Voice on Indian Gaming Issues

CNIGA is a non-profit organization dedicated to the purpose of protecting the sovereign right of Indian tribes to have gaming on federally-recognized Indian lands. It acts as a planning and coordinating agency for legislative, policy, legal and communications efforts on behalf of its members and serves as an industry forum for information and resources.

Indian Tribes are Partners with Our Local Communities and California

- Tribal governments in California currently employ 56,000 people
- Every tribal gaming job creates at least two others in the community
- Tribes annually spend hundreds of millions of dollars buying goods and services from off -reservation vendors and suppliers
- Tribes spend tens of millions of dollars per year to improve infrastructure on non-tribal lands and improve the environment
- Since 2003 tribes have paid nearly $370 million into a fund created to support problem gambling prevention programs; to reimburse local governments for off-reservation impacts by tribal gaming operations; and to compensate the state for regulatory costs
- Tribes have also paid more than $160 million into a fund created to share gaming revenues with non-gaming tribes

CNIGA represents 69 federally-recognized Indian Tribes in California

1415 L Street, Suite 1080 Sacramento, CA 95814 Phone: 916-448-8706 www.cniga.com

CNIGA

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED